



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



City Planning Commission

Date: June 13, 2013
Time: After 8:30 A.M.*
Place: Los Angeles City Hall
Board of Public Works Hearing Room
200 North Spring Street, Room 350
Los Angeles, CA 90012

Public Hearing: April 24, 2013
Appeal Status: Pursuant LAMC Section 12.36,
the entitlement requests are
appealable to City Council
Expiration Date: June 13, 2013

Case No.: CPC-2013-226-SPE-CU-
ZAA-CCMP-SPP
CEQA No.: ENV-2013-221-MND
Incidental Cases: VTT-72147-CN,
AA-2013-222-PMLA,
AA-2013-223-PMLA,
Related Cases: None
Council No.: 1
Plan Area: Northeast Los Angeles
Specific Plan: Avenue 57 Transit Oriented
District
Certified NC: Historic Highland Park
GPLU: Public Facilities
Zone: PF-2D-HPOZ

Applicant: Daniel Falcon, Jr. –
HPTV Apartments, L.P.
Representative: Andie Adame –
Craig Lawson & Co., LLC

PROJECT LOCATION: Site 1: 119 N. Avenue 56; Site 2: 5712 E. Marmion Way (123 & 125 N. Avenue 57 and 5706, 5708, & 5712 E. Marmion Way); Site 3: 124 N. Avenue 59 (124, 128, and 132 N. Avenue 59)

PROPOSED PROJECT: Construction and maintenance of the Highland Park Transit Village, a new joint public and private development with residential housing and public parking. The three project sites are owned by the Department of Transportation and improved with public surface parking lots. The project includes the demolition of the surface parking lots and the construction of a 20-unit residential condominium building with a maximum height of 45 feet, a 50-unit multi-family residential building with 49 affordable dwelling units and 1 non-restricted manager's unit with a maximum height of 47 feet 6 inches, and a 10-unit affordable multi-family residential building with a maximum height of 39 feet 6 inches. Each site will have a public parking component. The project will be built in two phases. Phase I will include Sites 2 and 3 and Phase II will include Site 1.

REQUESTED ACTION:

1. Pursuant to Section 12.24-U,21 of the Los Angeles Municipal Code, a Conditional Use to permit the construction of a joint public and private development with residential housing and public parking that is more intensive than those uses permitted in the most restrictive adjoining zone with the following residential densities:
 - a. Site 1: 20 units in lieu of the maximum 17 units permitted in the most restrictive adjoining zone of RD2-1-HPOZ,
 - b. Site 2: 50 units in lieu of the maximum 27 units permitted in the most restrictive adjoining zone of [Q]C4-2D-HPOZ, and
 - c. Site 3: 10 units in lieu of the maximum 10 units permitted in the most restrictive adjoining zone of [Q]C4-1VL-HPOZ.

2. Pursuant to LAMC Section 12.24-U,21, a Conditional Use to permit the construction of a joint public and private development that is more intensive than those uses permitted in the most restrictive adjoining zone with the approval of the following yard setbacks:
 - a. Site 1: a zero-foot to 20-foot 6-inch front yard setback along Avenues 56 and 57 in lieu of the required 15 feet in the most restrictive adjoining zone of RD2-1-HPOZ,
 - b. Site 1: a zero-foot to 22-foot side yard setback in lieu of the required 5 feet along the northern property line and 6 feet along the southern property line as required in the most restrictive adjoining zone of RD2-1-HPOZ,
 - c. Site 2: a zero-foot to 21-foot side yard setbacks along Marmion Way, the abutting alley and the adjoining property in lieu of the required 6 and 7 feet as required in the most restrictive adjoining zone of [Q]C4-2D-HPOZ Zone,
 - d. Site 3: a zero-foot to 10-foot side yard setback along Avenue 59 and the western property line in lieu of the required 6 feet as required in the most restrictive adjoining zone of [Q]C4-1VL-HPOZ, and
 - e. Site 3: a 10-foot to 15-foot rear yard setback in lieu of the required 15 feet as required in the most restrictive adjoining zone of [Q]C4-1VL-HPOZ.
3. Pursuant to LAMC Section 12.24-F. a Conditional Use to permit a building height of 47 feet 6 inches on Site 2 in lieu of the maximum permitted height of 45 feet per "D" Limitation in Ordinance 175,088.
4. Pursuant to LAMC Section 12.28, a Zoning Administrator's Adjustment to allow reduced passageways to the street in lieu of the required passageways as required in LAMC Section 12.21-C,2:
 - a. Site 1: a 9-foot passageway in lieu of the required 10 feet for a two-story building,
 - b. Site 2: a 9-foot 8-inch passageway between a stair and a wall in lieu of the required 12 feet for a three-story building,
 - c. Site 2: a 11-foot 3-inch passageway between a stair and a wall and a 12-foot 7-inch passageway in lieu of the required 14 feet adjacent to a four-story building, and
 - d. Site 3: a 9-foot 8-inch passageway between a stair and a wall and a 11-foot 6 inch passageway in lieu of the required 12 feet passageway required for a three-story building.
5. Pursuant to LAMC Section 11.5.7-C, a Project Permit Compliance approval of the Avenue 57 Transit Oriented Specific Plan.
6. Pursuant to LAMC Section 11.5.7-F, a Specific Plan Exception of the Avenue 57 Transit Oriented District Specific Plan to allow the lot assembly of the following in lieu of a maximum of two lots with a combined area equal to or less than 10,000 square feet for a residential development:
 - a. Site 1: four existing lots combined to one master lot and two airspace lots for a combined area of 34,920 square feet,

- b. Site 2: six existing lots combined to one master parcel and two airspace parcels for a combined area of 38,595 square feet (after street dedication), and
 - c. Site 3: four existing lots combined to one master parcel and three airspace parcels for a combined area of 13,160 square feet (after street dedication).
7. Pursuant to LAMC Section 12.20.3, a Certificate of Compatibility in order to build the project in a manner that is compatible with the Highland Park – Garvanza Historic Preservation Overlay Zone.
8. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, the adoption of a **Mitigated Negative Declaration** and required findings for the above-referenced project.

RECOMMENDED ACTIONS:

1. **Approve the Conditional Use** to permit the construction of a joint public and private development with residential housing and public parking that is more intensive than those uses permitted in the most restrictive adjoining zone with the following residential densities: Site 1: 20 units, Site 2: 50, and Site 3: 10 units.
2. **Approve the Conditional Use** to permit the construction of a joint public and private development that is more intensive than those uses permitted in the most restrictive adjoining zone with the approval of the following yard setbacks: Site 1: a zero-foot to 20-foot 6-inch front yard setback along Avenues 56 and 57, Site 1: a zero-foot to 22-foot side yard setback along the northern property line and 6 feet along the southern property line, Site 2: a zero-foot to 21-foot side yard setbacks along Marmion Way, the abutting alley and the adjoining property, Site 3: a zero-foot to 10-foot side yard setback along Avenue 59 and the western property line, and Site 3: a 10-foot to 15-foot rear yard setback.
3. **Approve the Conditional Use** to permit a building height of 47 feet 6 inches on Site 2.
4. **Approve the Zoning Administrator's Adjustment** to allow: Site 1: a 9-foot passageway, Site 2: a 9-foot 8-inch passageway between a stair and a wall, Site 2: a 11-foot 3-inch passageway between a stair and a wall and a 12-foot 7-inch passageway, and Site 3: a 9-foot 8-inch passageway between a stair and a wall and a 11-foot 6 inch passageway.
5. **Approve the Project Permit Compliance** approval of the Avenue 57 Transit Oriented Specific Plan.
6. **Deny without Prejudice the Specific Plan Exception** of the Avenue 57 Transit Oriented District Specific Plan.
7. **Approve the Certificate of Compatibility** for the construction of a joint public-private development consisting of 80 multi-family residential units and 221 public parking spaces and 106 resident parking spaces located within the Highland Park – Garvanza Historic Preservation Overlay Zone (HPOZ).
8. **Adopt** the attached Findings.
9. **Adopt** Mitigated Negative Declaration No. ENV-2013-221-MND.
10. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

11. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

MICHAEL J. LOGRANDE
Director of Planning

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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1295.

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PROJECT ANALYSIS

Project Summary

The project involves the construction and maintenance of a new joint public and private development with residential housing and public parking, known as the Highland Park Transit Village. The project is considered as one development, but includes three sites, referred to as Sites 1, 2, and 3. The sites are located north of Figueroa Street and south of the Avenue 57 Metro Gold Line Station. Each site is located in a separate block, traversed by Avenues 57 and 58. The three project sites are owned by the Department of Transportation and currently improved with public surface parking lots. The project includes the demolition of the surface parking lots and the construction of a 20-unit residential condominium building (Site 1), a 50-unit multi-family residential building with 49 affordable dwelling units and 1 non-restricted manager's unit (Site 2), and a 10-unit affordable multi-family residential building (Site 3). Each site will have a public parking component that is anticipated to operate 24-hours a day, with an automated payment component. The project will be built in two phases. Phase I will include Sites 2 and 3 and Phase II will include Site 1. The project will be built to achieve LEED Silver.

The PF Zone does not include area regulations and allows a limited number of public facilities uses and conditional uses. The City Planning Commission has the authority to approve a conditional use permit for a joint public and private development with a residential use and a public parking use that is "more intensive" than those permitted in the most restrictive adjoining zone.

The City Council approved a motion directing the Department of Transportation (LADOT) and the Los Angeles Housing Department (LAHD) to explore the concept of developing a transit oriented project including residential, mixed-use retail and public parking on underutilized City owned parking lots located in the immediate vicinity of the Avenue 57 Gold Line Station. A Request for Qualifications (RFQ) for interested groups was issued in September 2005. Three developers were selected as part of the RFQ process, including the applicant McCormack Baron Salazar. All three groups were invited to respond to a formal Request for Proposals (RFP) that was issued by the City in November 2006. RFPs were due in February 2007. Proposals were reviewed by LADOT and LAHD based on established evaluation criteria and a recommendation was made to the City Council that McCormack Baron Salazar should be selected as the developer for the three sites. The City Council voted and approved McCormack Baron Salazar as the selected developer, approved an Exclusive Right to Negotiate Agreement, and subsequently approved a Joint Development Agreement with McCormack Baron Salazar for a specific term based on achieving certain milestones, including obtaining entitlements and securing necessary financing for the developments. The City will continue to own the Highland Park Transit Village project site.

Background

Site 1. The subject site is a 0.80 net acre lot, consisting of four parcels. The site is irregular in shape and fronts on Avenues 56 and 57. The site is zoned PF-2D-HPOZ and has a Public Facilities land use designation in the Northeast Los Angeles Community Plan. The site is improved with a public surface parking lot that will be demolished.

The 24,290 square-foot residential development includes 20 residential condominium units and two-levels of subterranean parking. The project will consist of five separate buildings over the subterranean parking. Two of the buildings are located towards Avenue 56 (as shown on the plans as Buildings A-1 and B-1), and each will be two-stories and have a maximum height of 32 feet and consist of four townhouse-type condominium units. The building located in the center

of the development (Building C-1) will be two-stories and have a maximum height of 32 feet and consist of two townhouse-type condominium units. The two buildings located towards Avenue 57 (Buildings D-1 and E-1) will each be three-stories and have a maximum height of 45 feet with 5 units each and consist of two flat-type condominium units on the ground floor and three townhouse type condominium units above. The buildings will include a total of 4 two-bedroom units and 16 three-bedroom units. The project site will provide 600 square feet of open space in the porches and balconies, and 27,000 square feet in two courtyard areas, for a total of 3,300 square feet of open space is provided.

Vehicular egress and ingress to the two-level subterranean parking will be accessed from the south easterly portion of the site along Avenue 57. The public parking will be located on Parking Levels 1 and 2 and the residential and residential guest parking will be located on Parking Level 2.

Site 2. The subject site is a 0.89 net acre lot (after street dedication), consisting of six parcels. The site is irregular in shape and fronts on Avenues 57 and 58, bounded by Marmion Way to the north and an alley to the south. The site is zoned PF-2D-HPOZ and has a Public Facilities land use designation in the Northeast Los Angeles Community Plan. The site is improved with a public surface parking lot that will be demolished.

The 55,115 square-foot residential development includes 50 affordable multi-family apartment units (49 affordable units and 1 on-site market rate manager's unit). The project will consist of four separate buildings over the underground parking. The building located at the southwest corner of the site fronting Avenue 57 (as shown on the plans as Building A-2), will be three-stories, with a maximum height of 41 feet 4 inches, containing five apartment units comprised of two flat-type apartment units on the ground floor and three townhouse-type apartment units above. The building located at the north portion of the site that fronts on Marmion Way (Building B-2), is one contiguous structure that has been designed to appear as three separate buildings. The first portion of the building, located at the northwest corner of the site, will be three-stories and have a maximum height of 41 feet and four inches. The first portion of the building will consist of five apartment units and comprising of two flat-type apartments units on the ground floor and three townhouse-type apartment units above.

The center and westerly portions of the building will be three-stories and have a maximum height of 44 feet four inches and will consist of five units each comprising of two flat-type apartments units on the ground floor and three townhouse-type apartment units above. The building located at the northeast corner of the site at the corner of Marion Way and Avenue 58 (Building C-2) will be three-stories and have a maximum height of 44 feet 4 inches will consist of five apartment units and will comprise of two flat-type apartment units on the ground floor and three townhouse-type apartment units above. The building located at the center of the site near the 20-foot wide alley (Building D-2) will be four-stories and have a maximum height of 47 feet 6 inches comprising of 25 flat-style apartment units. The buildings will include a total of 5 one-bedroom units, 30 two-bedroom units, and 15 three bedroom units. Site 2 will provide 500 square feet of open space in the private porches and balconies, 4,795 square feet in three courtyard areas, and 1,705 square feet in two community rooms, for a total of 7,000 square feet of open space is provided.

Vehicular egress and ingress to the one-level subterranean parking will be accessed from the southeast corner of the project site off of Avenue 58. Public parking will be located in the subterranean parking. Nine public parking spaces are provided directly off the alley and additional interior public parking spaces will be located on the ground floor with ingress and egress off the alley.

Site 3. The subject site is a 0.30 net acre lot (after street dedication), consisting of four parcels. The site is rectangular in shape, bounded by Marmion Way to the north, an alley to the south, and Avenue 59 to the east. The site is zoned PF-2D-HPOZ and has a Public Facilities land use designation in the Northeast Los Angeles Community Plan. The site is improved with a public surface parking lot that will be demolished.

The 11,169 square-foot residential development includes 10 affordable apartment units. The project will consist of two separate buildings over the underground parking. The buildings will be three stories and have a maximum height of 39 feet 6 inches. The building located at the east portion of the site fronting Avenue 59 (as shown on the plans as Building A-3), will consist of five apartment units comprising of two flat-type apartment units on the ground floor and three townhouse-type apartment units above. The building located at the north portion of the site that fronts on Marmion Way (Building B-3), will consist of five apartment units comprising of two flat-type apartments units on the ground floor and three townhouse-type apartment units above. The buildings will include a total of 7 two-bedroom units and 3 three-bedroom units. Site 3 will provide 200 square feet of open space in the private porches and balconies and a 1,200 square-foot courtyard, for a total of 1,400 square feet of open space is provided.

Vehicular egress and ingress to the one-level subterranean parking will be accessed from the southwest corner of the project site off of the Alley. The residential and public parking will be located in the subterranean parking. Five surface public parking spaces are provided directly off the alley.

Sites 1, 2, and 3 are located within the Avenue 57 Transit Oriented District Specific Plan Area, Highland Park-Garvanza Historic Preservation Overlay Zone, Special Grading Area (BOE Basic Grid Map A-13372), Highland Park Business Improvement District, and in the East Los Angeles State Enterprise Zone.

Surrounding Properties:

Site 1. Adjacent land uses consist of multi-family residential uses to the north in the RD2-1-HPOZ and [Q]C4-2D-HPOZ Zones, multi-family and commercial uses to the south in the [Q]C4-2D-HPOZ Zones, multi-family and commercial uses across Avenue 56 to the west in the RD2-1-HPOZ and C2-2D-HPOZ Zones, and proposed Site 2 and commercial uses to the west across Avenue 57 in the PF-1-HPOZ and [Q]C4-2D-HPOZ Zones.

Site 2. Adjacent land uses consist of the MTA Gold Line to the north across Marmion Way in the PF-1-HPOZ Zone, retail uses to the south across an alley in the [Q]C4-2D-HPOZ Zone, single and multi-family residential uses and a DOT public surface parking lot (proposed Site 1) to the west across Avenue 57 in the [Q]C4-2D-HPOZ and PF-2D-HPOZ Zones, and a multi-family residential uses to the east across Avenue 58 in the [Q]C4-2D-HPOZ Zone.

Site 3. Adjacent land uses consist of the MTA Gold Line to the north across Marmion Way in the PF-1-HPOZ Zone, retail and office uses to the south across an alley in the [Q]C4-2D-HPOZ Zone, multi-family residential use to the west in the [Q]C4-2D-HPOZ Zone, and single and multi-family residential uses and commercial uses to the east across Avenue 59 in the [Q]C4-1VL-HPOZ and [Q]C4-2D-HPOZ and PF-2D-HPOZ Zones.

Streets and Circulation:

Avenue 56 is a Local Streets dedicated to a 60-foot width.

Avenue 57 is a Local Streets dedicated to a 60-foot width.

Avenue 58 is Local Streets dedicated to a 60-foot width.

Avenue 59 is a Collector Street dedicated to a 60-foot width.

Marmion Way is a Local Street with a variable width of approximately 68 feet

The Alley is dedicated with a 20-foot width.

Site Related Cases and Permits:

Case No. Vesting Tentative Tract Map VTT-72147-CN: This is a concurrent request, as a part of the Highland Park Transit Village, to permit the merger and re-subdivision of four lots into one master lot and two airspace lots on a 34,920 net square-foot site. Master Lot 1 includes 20 residential condominium units, Airspace Lot 2 includes 116 public parking spaces, and Airspace Lot 3 includes 40 residential parking spaces and 5 guest spaces. Haul route approval is requested. The project will be built in two phases. Phase I will include Sites 2 and 3 and Phase II will include Site 1. The subject site is referenced as Site 1 and is located at 119 N. Avenue 56. The Deputy Advisory Approved the request on May 7, 2013. The case has subsequently been appealed and will be heard concurrently with the subject request.

Case No. Parcel Map AA-2013-222-PMLA: This is a concurrent request, as a part of the Highland Park Transit Village, to permit merger and re-subdivision of six lots into one master parcel and two airspace parcels on a 38,595 net square-foot site (after street dedication). Master Parcel A includes a 50 apartment units (49 affordable units and 1 non-restricted manager's unit), Airspace Parcel B includes 81 public parking spaces, and Airspace Parcel C includes 51 residential parking spaces. Haul route approval is requested. The site is referenced as Site 2 and is located at 5712 E. Marmion Way (123 & 125 N. Avenue 57 and 5706, 5708, & 5712 E. Marmion Way). The Deputy Advisory Approved the request on May 7, 2013. The case has subsequently been appealed and will be heard concurrently with the subject request.

Case No. Parcel Map AA-2013-223-PMLA: This is a concurrent request, as a part of the Highland Park Transit Village, to permit the merger and re-subdivision of four lots into one master parcel and three airspace parcels on a 13,160 net square-foot site (after street dedication). Master Parcel A includes 10 affordable residential units, Parcel B and C includes 24 public parking spaces, and Parcel D includes 10 residential parking spaces. Haul route approval is requested. The site is referenced as Site 3 and is located at 124 N. Avenue 59 (124, 128, and 132 N. Avenue 59). The Deputy Advisory Approved the request on May 7, 2013. The case has subsequently been appealed and will be heard concurrently with the subject request.

Ordinance No. 182,318: Effective November 29, 2012. A Zone Change Correction and Plan Amendment Resolution to correct the zone from PF-1-HPOZ and [Q]C4-2D-HPOZ to PF-2D-HPOZ and to correct the underlying General Plan Land Use Designation from Community Commercial to Public Facilities for Highland Park Transit Village.

Ordinance No. 175,088: Effective April 1, 2003. Height District Change to permit floor area ratios of up to 3:1 for specific mixed use, commercial, and public facility projects. A Height District Change from 1 and 1-VL to 2D Height District. A "D" limitation is included to the C4 Zone. (Map shows Sites 1, 2, and 3 in the [Q]C4-2D-HPOZ Zone).

Ordinance No. 174,663: Effective August 18, 2002. The Avenue 57 Transit Oriented District Specific Plan was established.

Ordinance No. 174,665: Effective August 18, 2002. Zone and Height District Change as set forth on the map entitled “Northeast Los Angeles Community.” According to the maps and text in this Ordinance, Subarea 4076 is designated as a PF-1-HPOZ Zone.

Ordinance No. 167,776: Effective June 7, 1994. Amended LAMC Section 12.04 to establish the Highland Park Historic Preservation Overlay Zone for property generally bounded by York Boulevard, the Pasadena Freeway, Marmion Way and Avenue 50.

Public Hearing:

A joint public hearing on this matter with the Subdivision Committee and Hearing Officer was held at City Hall on Wednesday, April 24, 2013 (see Public Hearing and Communications, Page P-1).

Urban Design Studio:

The applicant’s representative, architects, and Planning Department staff met with the Urban Design Studio on January 22, 2013. At the meeting, the project was introduced and discussed relative to landscape, surrounding community, and the proposed design. At the meeting, it was determined that the overall design was consistent with the Citywide Design Guidelines and that the project integrated well into the neighborhood. The street facing buildings facades were designed to appear as separate buildings to break massing. The Urban Design Studio recommended that any future sign for the public parking should be clearly visible. The Urban Design Studio stated that the project integrated well into the neighborhood, was pleased with the project, and that the project enhanced this community area.

Professional Volunteer Program:

Planning Department staff met with the Professional Volunteer Program (PVP) on May 14, 2013. Present at the meeting were: staff and interns of the Urban Design Studio, Department of City Planning staff, an architect, and a sustainability consultant. At the meeting the project was introduced by the Urban Design Studios and followed by a PowerPoint presentation discussing the project site, surrounding area, and proposed project design. The PVP stated that the architect “did a good job” on the project design, was pleased that the majority of the public parking was located subterranean, and that the project design and scale reflected the surrounding historic area. No design changes were suggested by PVP. The PVP suggested the use of solar paneling.

Citywide Design Guidelines and Walkability Checklist

The proposed project has been designed with open space, landscaping, outdoor courtyards, individual entrances and porches at the street, and articulated building elevations. All of the proposed units have been considered with respect to light and ventilation. The Highland Park Transit Village project is comprised of three sites: Site 1 – five separate residential buildings over subterranean parking, Site 2 – four separate residential buildings over subterranean parking, and Site 3 – two separate buildings over underground parking. The project is designed in compliance with the Citywide Design Guidelines for residential projects and the Walkability Checklist.

Citywide Design Guidelines. “The Citywide Design Guidelines have been created to carry out the common design objectives that maintain neighborhood form and character while promoting design excellence and creative infill development solutions.” The Guidelines are intended as a tool in evaluating project applications along with relevant policies from the General Plan Framework and Community Plans. Incorporating the guidelines into a project’s design

encourages compatible architecture, attractive multi-family residential districts, pedestrian activity, context-sensitive design, and place-making. The project has been designed in observance of many of the Residential Citywide Design Guidelines goals. The project complies with the following Citywide Design Guideline Objectives and incorporates several design principles as discussed below.

Objective 1 Consider Neighborhood Context and Linkages In Building and Site Design.

The project has been designed with a strong street wall by generally locating the building frontages at the yard setbacks required in the most restrictive adjoining zone. Open space is provided on each site including courtyards and outdoor spaces that is accessible to all the residential units. Site 2 will include a community room and a second floor courtyard. Site 1 has been designed with bicycle racks conveniently located for residents and visitors on the ground floor near Avenue 56 and Avenue 57, and centrally located on the project site; Site 2 bicycle parking are located near Avenue 57, Marmion Way and near the southeast property line, and Site 3 bicycle parking are located near the alley. The design incorporates individual entrances, landscape planters, and porches fronting on Avenues 56, 57, 58, 59, and Marmion Way to promote pedestrian activity. The project design reflects the historic character urban design pattern street edge and respects the character of existing buildings with regards to height, scale, and architectural material.

Objective 2 Employ Distinguishable and Attractive Building Design.

The buildings have been articulated to a layered style by using different textures, colors and materials to provide depth and visual interest. The proposed Craftsman style buildings fronting onto the streets are enhanced with porches to add scale and interest of the buildings. The proposed Craftsman style buildings will use fiber cement shingle and lap siding, asphalt shingles, and wood and fiber cement accents. The proposed project uses river rock as a veneer to accent planter bases and pilasters. The Renaissance Revival style building will use a smooth stucco finish and brick veneer. The main entries of the proposed Craftsman style structures on Sites 1, 2, and 3 are configured to face towards the streets. Architectural elements such as appropriate eave depth, covered porch areas, decorative rafter tails, and decorative trim are emphasized to maintain compatibility with other surrounding historic structures of similar style. The windows of the proposed Craftsman style buildings will be Douglas Fir double hung wood windows with divided lites or Douglas Fir awning wood windows with divided lites. The windows of the proposed four-story apartment building that resembles an historic commercial building, located on Site 2, will be white fiberglass casement windows, which resemble casement windows that were historically found on commercial buildings. The buildings will use different textures, colors, materials, and distinctive architectural treatments that will add visual interest, as well as dormers and porches on the proposed Craftsman style buildings. All façades of the building have been designed with an equal level of detail, articulation, and architectural rigor.

Objective 3 Provide Pedestrian Connections Within and Around the Project

The street frontages are improved with straight sidewalks. Street trees are proposed on Avenues 56, 57, 58, 59, and Marmion Way, creating a buffer between the street and pedestrians on the sidewalks. The sidewalks will be unobstructed and continuous with any unused driveways to be enclosed with curbs. Each site is designed with internal pedestrian pathways to encourage movement between courtyards, parking areas, and public entrances.

Objective 4 Minimize the Appearance of Driveways and Parking Areas

All three sites will have public and private resident parking. Site 1 will have two subterranean levels with vehicular egress and ingress to the two-level subterranean parking will be accessed from the south portion of the project off of Avenue 57. Site 2 will have a one-level subterranean parking that will be accessed from the southeast corner of the project site off of Avenue 58 and the surface public parking spaces are provided directly off the alley and additional interior public parking spaces will be located on the ground floor with ingress and egress off the alley. Site 3 will have one level of subterranean parking that will be accessed from the southwest corner of the project site off of the Alley and five surface public parking spaces are provided directly off the alley. The project is also conditioned to submit a parking area and driveway plan to the Department of Transportation for approval prior to submittal of building permit plans for plan check.

Objective 5 Utilize Open Areas and Landscaping Opportunities to their Full Potential

The project will use mostly drought tolerant and native plant materials in planters, and will provide enhanced paving and hardscape elements. Site 1 will provide 3,300 square feet of open space including courtyard spaces, Site 2 will provide 7,000 square feet of open space including two courtyard spaces on the ground and 2nd level and a children's tot-lot, and Site 3 will provide 1,400 square feet of open space including a central courtyard.

The project is conditioned to comply with the Water Management Ordinance No. 170,978 and in addition to the Landscape Ordinance, the project is conditioned to have a landscape plan that incorporates weather-based irrigation controller with rain shutoff, matched precipitation (flow) rates for sprinkler heads; drip/microspray/subsurface irrigation where appropriate; minimum irrigation system distribution uniformity of 75 percent; proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials; use of landscape contouring to minimize precipitation runoff; and a separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

Objective 6 Improve the Streetscape Experience by Reducing Visual Clutter

At this time, no signage is being proposed in conjunction with the proposed project. The project has been designed to reduce the visual appearance of utilities. Mechanical rooms for each of the site are proposed within each subterranean garage. The trash and recycling area for Site 1 will be located on the ground floor in two areas within a trash enclosure that will be screened, Site 2 will be located in an enclosed room on the ground floor, and Site 3 will be located on the ground floor within a trash enclosure that will be screened.

Walkability Checklist. The Walkability Checklist is a tool used to evaluate projects to ensure pedestrian movement, access, comfort, and safety, further contributing to the walkability of the City. "The Walkability Checklist provides a list of recommended strategies that projects should employ to improve the pedestrian environment in the public right-of-way and on private property." The Checklist also provides a guide for consistency relating with the policies contained in the General Plan Framework. The project incorporates the following Walkability elements.

Sidewalks

- The project will provide continuous and straight sidewalks;
- The sidewalks will provide a buffer between pedestrians and moving vehicles by the use of landscaping and street trees;
- The width of the sidewalk will accommodate pedestrian flow and activity without being wider than necessary; and
- Parkways will be planted with ground cover, low-growing vegetation or permeable materials that will accommodate pedestrian movement.

Building Orientation

- The building is designed with grade level entrances from the public right-of way for pedestrians along Avenue 56, Avenue 57, Avenue 58, Avenue 59, Marmion Way, and the Alley;
- The pedestrian entrances are easily accessible from transit stops, within walking distance from Metro Bus Line 51 (Avenue 56/Figueroa, Avenue 57/Figueroa, Avenue 59/Figueroa), Metro Bus Line 256 (Avenue 57/Marmion Way), the Dash Highland Park (Figueroa/Avenue 56 and Avenue 57/Marmion Way), and to the MTA Gold Line Highland Park station;
- Entrances to the buildings are visible from the street and sidewalk;
- The buildings that front on the street incorporates transitions from the sidewalk to the front door with the use of landscaping and porches at individual entrances to residences that do not negatively impact the overall street wall; and
- Direct access to the building entrances are available from the sidewalks and streets.

Off-Street Parking and Driveways

- The project maintains continuity of the sidewalk;
- Parking is accessed off an alley or from a side street;
- There will be no parking areas within the front or rear yards;
- The project is designed with few vehicle access to and from the site; and
- Any abandoned driveways will be reconstructed as sidewalks.

On-Site Landscaping

- The project will provide canopy trees in the planting areas and in the public right-of-way;
- The project will provide planting that complements pedestrian movement or views along Avenue 56, Avenue 57, Avenue 58, Avenue 59, and Marmion Way; and
- The project will plant street trees along Avenue 56 shall match existing street trees along Avenue 56, complementing the character of the built environment.

Building Façade

- The building façades have been designed to incorporate different textures, colors, materials, and distinctive architectural features that add visual interest;
- The building façades incorporate articulated massing by adding scale and interest;
- The building façade reinforce the existing facade rhythm along the street with architectural elements;
- The project's architectural features use, enhanced materials, fenestration, and planting will contribute to a more pedestrian friendly streetscape;

- Patios have been designed to incorporate an architectural feature that provide shade and reduce heat gain; and
- The project will contribute to neighborhood safety by incorporating windows at the street that act as “eyes on the street.”

Issues

Specific Plan Exception. The Specific Plan Exception request included in the Master Land Use Application was based on the general “residential development” assembly restriction. However, just prior to filing it was determined that while the proposed project may have previously been defined as a “Residential” development, the general exception for “Mixed Use” development was more appropriate. The Avenue 57 TOD Specific Plan definition for Mixed Use Project (Section 4.F) is as follows:

Mixed Use Project. A project containing both commercial and residential uses, including one or more commercial uses and more than one dwelling unit in a single building or in a Unified Development. A Mixed Use Project shall provide the following:

- (1) A separate, ground floor entrance to the residential component, or a lobby that serves both the residential and commercial use components; and*
- (2) A pedestrian entrance to the commercial use component that is directly accessible from a public street and that is open during the normal business hours posted by the business.*

The proposed Project includes a residential component on each site with 20 dwelling units on Site 1, 50 dwelling units on Site 2 and 10 dwelling units on Site 3. Each site additionally contains a public parking component which is replacement parking for the existing City owned and operated lots.

The Avenue 57 TOD Specific Plan does not define Commercial Uses, nor does it exclude specific uses such as public parking, but defers those definitions back to the Municipal Code. Public parking is a commercial use as defined by the Municipal Code. As each site includes multiple residential structures, and one or two levels of resident and public parking, the Project meets the Mixed Use Project definition of containing both commercial and residential uses. Additionally, each site contains separate pedestrian entrances to the public parking (commercial) component that are directly accessible from the public street and will be open during normal business hours. There are also separate, ground floor pedestrian entrances to the residential component. Vehicle parking for residents is separated from the public parking by either access barriers or use of monthly parking passes. The public parking hours of operation are expected to be seven days a week and 24-hours a day.

At the April 24, 2013 Public Hearing, the Applicant’s Representative presented testimony indicating that the proposed Project is a Mixed Use development and that the requested Specific Plan Exceptions were not necessary as none of the three sites includes more than 6 lots or a combined lot area greater than 50,000 square feet. Staff is recommending Denial Without Prejudice of the requested Specific Plan Exception as the proposed Project meets the Specific Plan definition of Mixed Use and is therefore, in compliance, with the Specific Plan Lot Assembly regulations.

Parking. The existing three sites are improved with public surface parking lots, with a total of 221 parking spaces. The project includes the demolition of the surface parking lots and the construction of a 20-unit residential condominium building (Site 1), a 50-unit multi-family

residential building with 49 affordable dwelling units and 1 non-restricted manager's unit (Site 2), and a 10-unit affordable multi-family residential building (Site 3). Each site will have a public parking component. The applicant is providing the following number of residential parking for each site:

- Site 1: 2 covered off-street parking spaces per dwelling unit, plus 1/4 guest parking spaces per dwelling unit, for a total of 40 residential parking spaces and 5 residential guest spaces.
- Site 2: 1 parking space for each restricted affordable dwelling units and 2 parking spaces per market rate dwelling unit, for a total of 51 parking spaces
- Site 3: 1 parking space for each restricted affordable dwelling units, for a total of 10 parking spaces.

The proposed parking meets the required number of parking spaces per the LAMC and there is no request for a reduction in parking. Further, the existing 221 public parking spaces will be 100% replaced and distributed on the three sites.

For transit dependent tenants and visitors, the project sites are located in close proximity to the Metro Bus Line 51 (Avenue 56/Figueroa, Avenue 57/Figueroa, Avenue 59/Figueroa), Metro Bus Line 256 (Avenue 57/Marmion Way), the Dash Highland Park (Figueroa/Avenue 56 and Avenue 57/Marmion Way), and located adjacent to the MTA Gold Line Highland Park station. The project is also within walking distance to many commercial amenities and supporting services.

In addition, the applicant is providing 35 bicycle parking spaces on Site 1, 55 bicycle parking spaces on Site 2, and 12 bicycle parking spaces on Site 3, for a total of 102 bicycle parking spaces.

During the public hearing, many voiced concerns about the existing problems of parking on their streets. Although parking problems are a concern, staff had observed that the three surface parking lots were empty. The representative from the Council Office stated its office would like more people to use the public parking spaces and is open to work with the residents and business owners to resolve parking concerns on their street that is not related to the project.

Height. The most restrictive adjoining zone are RD2-1-HPOZ (Site 1), [Q]C4-2D-HPOZ Zone (Site 2), and [Q]C4-1VL-HPOZ Zones (Site 3), with a height limit of 45-feet for Sites 1 and 3 and an unlimited number of stories for Site 2. The sites are zoned PF-2D-HPOZ and the "D" limitation limits the building height to 45 feet. Both Site 1 and Site 3 meet the 45-foot height limit.

Site 2 proposes five three-story structures that front on Avenue 57, Avenue 58, and Marmion Way with a maximum height of 41 feet 4 inches and 44 feet 4 inches. Site 2 also proposes a 25-unit four-story building at the southeast property line, adjacent to the alley, with a maximum height of 47 feet 6 inches. As part of the Conditional Use request, the applicant is requesting to permit an additional height of 2 feet 6 inches to accommodate the proposed design and site constraints of the four-story building. The height is necessary since the project site slopes upward from west to east by approximately 6 feet. The Department of Building and Safety measures height from the lowest point located five feet away from the building, resulting in 47 feet 6 inches for the westerly portion of the four-story building. The eastern portion of the building, when measured from the ground floor elevation has a height of 45 feet 4 inches. According to the applicant, the second floor level cannot be lowered as the ground floor elevation of the building matches the finish floor of the courtyard space between the buildings

and the main pedestrian entry on Marmion Way. The four-story building is internally located at the southeast property line, adjacent to the alley. The building has been located furthest away from the street fronting property lines. The proposed three-story buildings on Avenues 57 and 58, and Marmion Way buffer the direct views to the four-story building. The resulting overall project massing is stepped back as the taller structures are screened from direct view from the public right-of-ways.

Massing. Site 1, 2, and 3 have been designed with a Craftsman style architecture and a Renaissance Revival style for the four-story building on Site 2, blending with the surrounding neighborhood consisting a Craftsman style homes and commercial buildings on Figueroa Street. The proposed buildings will have breaks between the building resembling single-family structures, reducing the massing and scale to be harmonious with the existing neighborhood development. The sites are zoned PF-2D-HPOZ and are limited to a 1.5:1 under the "D" limitation. Site 1 proposes a maximum floor area of 24,290 square feet (0.87:1 FAR), Site 2 proposes a maximum floor area of 55,115 square feet (1.43:1 FAR), and Site 3 proposes a maximum floor area of 11,169 square feet (0.85:1 FAR). The development for each site has been designed within the allowable floor area ratio and will not adversely affect the surround area.

Density. The sites are zoned PF-2D-HPOZ and with the approval of a Conditional Use, a joint public and private development with residential and public parking uses that is more intensive than those permitted the most restrictive adjoining zone will be allowed. The applicant is requesting the following densities: Site 1: 20 units in lieu of the maximum 17 units permitted in the most restrictive adjoining zone of RD2-1-HPOZ, Site 2: 50 units in lieu of the maximum 27 units permitted in the most restrictive adjoining zone of [Q]C4-2D-HPOZ, and Site 3: 10 units in lieu of the maximum 10 units permitted in the most restrictive adjoining zone of [Q]C4-1VL-HPOZ.

Site 1 is requesting 20 market rate condominium units or three additional units than allowed in the most restrictive adjoining zone. The three additional market rate units would provide a benefit to the public by providing more homeownership opportunities to individuals and families at a lower cost than single-family homes.

Site 2 is providing 49 low income units and with a Density Bonus request, the site would technically permit a maximum of 35 dwelling units. The project has been designed to be compatible with the immediate adjoining properties with Craftsman style architecture using articulation and recessing surface perforations and porticos, the use of front porches and balconies that break up the building facades, and the use of varied roof lines.

Site 3 is requesting a density of 10 affordable dwelling units, consistent with the maximum allowed density for the Q]C4-1VL-HPOZ.

Conclusion

The proposed Highland Park Transit Village project will serve the community, by providing a joint public and private development with residential housing and public parking, consisting of 20 residential condominiums, 59 apartment units restricted for Low Income households, and one non-restricted manager's unit. The project's site is at a prominent location near the MTA Gold Line Highland Park station and the project will enhance and link to the Figueroa Street commercial corridor. The project location will also provide future residents with access to the Metro Bus, Dash and MTA Gold Line; and is within walking distance from many commercial uses.

Therefore, based on the information submitted, the surrounding uses, input from the public hearing, and the attached conditions of approval, the City Planning Department staff recommends that the City Planning Commission approve the requested entitlements, as conditioned, as it will provide more housing alternatives for the local population and the surrounding community, and provide a use that will benefit the community and activate life on the surrounding streets.

CONDITIONS OF APPROVAL

Pursuant to Los Angeles Municipal Code (LAMC) Sections 12.24-U,21, 12.24-F, 12.28, 11.5.7-C, and 12.20.3, the following conditions are hereby imposed upon the use of the subject property.

A. Entitlement Conditions

1. **Use.** The project is approved for Site 1: 20 residential units, Site 2: 50 residential units, including 49 residential units restricted for Low Income households and 1 non-restricted manager's unit, and Site 3: 10 residential units restricted for Low Income households
2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with this approval and the plans submitted by the applicant, signed and dated by staff and attached to the case file as Exhibit D. Any changes to the project or these plans shall be approved by the Director of Planning and may require additional review by the HPOZ Board. Each change shall be identified and justified in writing. Modified plans shall be signed and dated by staff and attached to the case file as Modified Exhibit D, etc.
3. **Floor Area.** The total floor area of the new building on the subject property shall not exceed: Site 1: 25,175 square feet, Site 2: 55,115 square feet, and Site 3: 11,169 square feet, for a total of 90,574 square feet.
4. **Height.** The height of the proposed structures shall not exceed a height of:
 - a. Site 1: 32 feet to the top of the roof for the two-story structures and 45-feet to the top of the roof for the three-story structure;
 - b. Site 2: 44 feet 3 inches to the top of the roof for the three story structures and 47 feet 6 inches to the top of the roof for the four-story structure; and
 - c. Site 3: 39 feet 6 inches to the top of the roof.
5. **Density.** The total density at the site shall be limited to no more than: Site 1: 20-units, Site 2: 50-units, and Site 3: 10 units.
6. **Open Space.** A minimum of 3,300 square feet of open space shall be provided on Site 1, a minimum of 7,000 square feet of open space shall be provided on Site 2, and a minimum of 1,400 square feet of open space shall be provided on Site 3, for a total of 11,700 square feet of open space.
7. **Housing Requirements.**
 - a. Site 2: Prior to the issuance of a building permit for any rental dwelling unit on the subject property, the applicant shall reserve 49 units and shall execute and record a rental covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the applicant and/or any subsequent property owner to reserve 49 units for occupancy by LOW Income households as restricted affordable rental units. Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market-rate units.

For a period of thirty (30) years from the issuance of the Certificate of Occupancy, affordable dwelling units may be occupied only by households whose income has been certified by LAHD to fall within the specified LOW Income affordability level, as defined by California Health and Safety Code Section 50079.5, for the duration of the covenant.

- b. Site 3: Prior to the issuance of a building permit for any rental dwelling unit on the subject property, the applicant shall reserve 10 units and shall execute and record a rental covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department (“LAHD”). The covenant shall bind the applicant and/or any subsequent property owner to reserve 10 units for occupancy by LOW Income households as restricted affordable rental units. Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market-rate units.

For a period of thirty (30) years from the issuance of the Certificate of Occupancy, affordable dwelling units may be occupied only by households whose income has been certified by LAHD to fall within the specified LOW Income affordability level, as defined by California Health and Safety Code Section 50079.5, for the duration of the covenant.

8. **Parking.**

- a. Site 1: A minimum of 2 covered off-street parking spaces per dwelling unit, plus 1/4 guest parking spaces per dwelling unit shall be provided to serve this project.

A minimum of 116 City of Los Angeles public parking spaces shall be provided to serve this project, or allow the redistribution of the parking spaces to Sites 2 and/or 3, if necessary, in order to maintain the total 221 public parking spaces across the three sites.

- b. Site 2: A minimum of 49 parking spaces shall be provided to serve this project, at one parking space for each restricted affordable dwelling units. A minimum of two covered off-street parking spaces per market rate dwelling unit shall be provided.

A minimum of 81 City of Los Angeles public parking spaces shall be provided to serve this project, or allow the redistribution of the parking spaces to Sites 1 and/or 3, if necessary, in order to maintain the total 221 public parking spaces across the three sites.

- c. Site 3: A minimum of 10 parking spaces shall be provided to serve this project, at one parking space for each restricted affordable dwelling units.

A minimum of 24 City of Los Angeles public parking spaces shall be provided to serve this project, or allow the redistribution of the parking spaces to Sites 1 and/or 2, if necessary, in order to maintain the total 221 public parking spaces across the three sites.

9. **Bicycle Parking.** A minimum of 35 bicycle parking spaces on Site 1, 55 bicycle parking spaces on Site 2, and 12 bicycle parking spaces on Site 3, for a total of 102 bicycle spaces shall be provided as shown on the project plans labeled “Exhibit D”, except as may be revised as a result of this action.

10. **Setbacks.** The project shall provide a minimum of the following as shown on the project plans labeled "Exhibit D", except as may be revised as a result of this action:
 - a. Site 1: a zero-foot to 20-foot 6-inch front yard setback along Avenues 56 and 57,
 - b. Site 1: a zero-foot to 22-foot side yard setback along the northern property line and 6 feet along the southern property line,
 - c. Site 2: a zero-foot to 21-foot side yard setbacks along Marmion Way, the abutting alley and the adjoining property,
 - d. Site 3: a zero-foot to 10-foot side yard setback along Avenue 59 and the western property line, and
 - e. Site 3: a 10-foot to 15-foot rear yard setback.

11. **Historic Resources.** The project shall be executed with the following architectural features:
 - a. New street trees along Avenue 56 shall match existing street trees along Avenue 56.
 - b. A river rock veneer shall be used at planter bases.
 - c. All Craftsman style buildings shall include the following details:
 - i. Battered porch columns shall be made of wood or painted cement board to achieve a one-hour fire rating requirements for the building pursuant to the 2011 City of Los Angeles Building Code, Table 503 of Chapter 5 (General Building Heights and Areas) and Table 601 of Chapter 6 (Types of Construction).
 - ii. Windows shall have decorative horns added to the upper sash and shall match the wood sample provided in Exhibit A.
 - iii. Wood entry doors shall use two types of design which shall be alternated at unit entrances: one type shall have six lite glass panels over a single wood panel and the other type shall be a single lite glass panel over a single wood panel.
 - iv. Roofs shall be either a grey or brown roof color, and the roof color shall be varied from building to building to achieve a variety of appearance.
 - v. Triangular knee brace supports shall be used at the gabled roofs.
 - vi. A "1x" cement board shall be used under the roof eaves.
 - vii. Side elevations shall incorporate a barge board for decorative detailing.
 - viii. Side elevations shall incorporate a false window or decorative vent detail.
 - ix. Staff and applicant shall review any existing access and easements to the rear of existing commercial buildings along Figueroa Street, and if easements require any change to the plan, applicant shall review with the HPOZ Board.

12. **Site Access and Parking.** All site access and parking shall be provided within the combined lot area, without crossing or connecting to any adjoining commercial developments.
13. **Lot Assembly Restrictions.** As a mixed-use development, the proposed Project shall be limited to a lot assembly restriction of a maximum of six lots with a combined area equal to or less than 50,000 sq. ft. per site assemblage.
14. **Development Standards for Mixed Use Areas (Site 3).** Site 3 of the proposed Project shall be subject to the following conditions:
 - a. **Landscaping and Surface Parking Lots.** Landscaping shall conform with all applicable standards of LAMC Sect. 12.22.A.23(a)(10).
 - b. **Open Areas.** All open areas not used for buildings, driveways, parking, recreational facilities, or pedestrian amenities shall be landscaped by shrubs, trees, ground cover, planter boxes, flowers or fountains.
 - c. **Pavement.** Paved areas, excluding parking and driveway areas, shall consist of enhanced paving materials, such as stamped concrete, permeable paved surfaces, tile, and/or brick pavers.
 - d. **Open Space.** The proposed project shall comply with the open space requirements for six or more residential units pursuant to LAMC Sect. 12.21.G.
 - e. **Façade Relief.** Building frontages shall be designed to comply with the requirements set forth in the Certificate of Compatibility (CCMP) in addition to the following façade relief standards of the Specific Plan: **1)** Horizontal architectural treatments and/or façade articulations, such as cornices, friezes, balconies, awnings, pedestrian amenities, or other features shall be provided for every 39 feet of building height visible from a street. **2)** Vertical architectural treatments and/or façade articulations, such as columns, pilasters, indentations, or other features shall be provided every 25 feet, with a minimum width of eight feet and a minimum depth of two feet for each vertical break. Where conflicts may occur between the requirements of the subject HPOZ Approval (CCMP) and the Specific Plan, the CCMP's requirements shall take precedence.
 - f. **Signs.** Signs shall comply with LAMC Sect. 12.22.A.23(a)(6), as applicable.
 - g. **Rooftop Appurtenances.** All ventilation heating, or air conditioning ducts, tubes, equipment, or other related rooftop appurtenance shall be screened when viewed from adjacent streets.

B. Environmental Conditions

15. **Light.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
16. **Demolition, Grading, and Construction Activities.**
 - a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to

- reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - c. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
 - g. Trucks having no current hauling activity shall not idle but be turned off.
17. **Tree Removal.**
- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
 - b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
 - c. Removal or planning of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.
18. **Cultural Resources.** The project shall comply with the Highland Park-Garvanza Preservation Plan.
19. **Seismic.** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
20. **Erosion/Grading/Short-Term Construction Impacts.**
- a. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

26. **Schools.** The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
27. **Quimby Fees.** Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.
28. **Utilities (Local Water Supplies - Landscaping).** Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
 - a. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
 - b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following: Weather-based irrigation controller with rain shutoff; matched precipitation (flow) rates for sprinkler heads; drip/microspray/subsurface irrigation where appropriate; minimum irrigation system distribution uniformity of 75 percent; proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials; use of landscape contouring to minimize precipitation runoff; and a separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.
29. **Utilities (Local Water Supplies - All New Construction).**
 - a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
 - b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
 - c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
 - d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
 - e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
30. **Utilities (Local Water Supplies - New Residential).**
 - a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.

- b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
 - c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
 31. **Utilities (Solid Waste Recycling - Operational).** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
 32. **Utilities (Solid Waste Recycling - Construction/Demolition).** Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
 33. **Utilities (Solid Waste Recycling - Construction/Demolition).** To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.
- C. **Other Conditions**
34. **Bureau of Engineering.**
 - a. Related Subdivision Cases VTT-72147-CN (Site 1: 119 N. Avenue 56), AA-2013-222-PMLA, (Site 2: 5712 E. Marmion Way) and AA-2013-223-PMLA (Site 3: 124 N. Avenue 59). The applicant shall comply with all of the Advisory Agency requirements contained in Case Nos. VTT-72147-CN, AA-2013-222-PMLA and AA-2013-223-PMLA being processed concurrently with this City Planning Commission case.

Prior to the issuance of any building permits, except demolition, excavation, or foundation permits, the applicant shall either 1) record the final maps of Vesting Tentative Tract Map No. VTT-72147-CN, Parcel Map No. AA-2013-222-PMLA and Parcel Map No. AA-2013-223-PMLA or 2) 4The off-site improvements will be phased in accordance with the Phasing Plan condition.
 - b. Phasing Plan. The construction of the project will include two phases. Phase 1 will include construction of Site 2 and Site 3. Phase 2 will include construction of Site 1.
 35. **Fire Department.** Prior to the issuance of building permit, a plot plan shall be submitted to the Fire Department for approval and a suitable arrangement shall be made satisfactory to the Fire Department, binding the all successors to the following:

- a. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- b. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- c. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- d. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot.
- e. Submit plot plans indicating access road and turning area for Fire Department approval.
- f. Policy Exception:

L.A.M.C. 57.09.03.B Exception:
 - When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
 - It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
 - This policy does not apply to single-family dwellings or to non-residential buildings.
- g. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.
- h. Entrance to the main lobby shall be located off the address side of the building.
- i. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- j. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- k. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.

- l. Adequate public and private fire hydrants shall be required.
 - m. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
 - n. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
 - o. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
 - p. Site plans shall include all overhead utility lines adjacent to the site.
 - q. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
36. **Street Lighting.** Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Construct new street lights: one on Avenue 56, one on Avenue 58 and one on Avenue 59. If street widening per BOE improvements conditions, relocate and upgrade street lights; two on Avenue 57, five on Marmion Way, and one on Avenue 59.

NOTES:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

37. **Department of Transportation.** A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street suite 400, Station 3.

D. Administrative Conditions

38. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
39. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.

40. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
41. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
42. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
43. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
44. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
45. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
46. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

FINDINGS

- 1. General Plan Land Use Designation.** The subject properties are located in the Northeast Los Angeles Community Plan, which was adopted by the City Council on June 15, 1999. The Plan Map designates the subject properties for Public Facilities land uses with corresponding zone of PF. Site 1 is approximately 38,595 square feet, Site 2 is approximately 38,595 (after dedication) square feet, and Site 3 is 13,160 (after dedication) square and are currently zoned PF-2D-HPOZ. The PF Zone permits agricultural uses, public parking under freeways, fire and police stations, government buildings, public libraries, post offices, public health facilities, and public elementary and secondary schools as specified in the LAMC as well as a joint public and private development that is more intensive than those uses permitted in the most restrictive zone with a Conditional Use permit. The subject site is located within the Avenue 57 Transit Oriented District Specific Plan Area, Highland Park-Garvanza Historic Preservation Overlay Zone, Special Grading Area (BOE Basic Grid Map A-13372), Highland Park Business Improvement District, and in the East Los Angeles State Enterprise Zone.
- 2. General Plan Text.** The Northeast Los Angeles Community Plan text includes the following relevant land use goals, objectives and policies:

Residential

Goal 1 A safe, secure, and attractive residential environment for all economic, age, and ethnic segments of the community.

Objective 1-2 To allocate land for new housing to accommodate a growth of population that is consistent with and promotes the health, safety, welfare, convenience, and pleasant environment of those who live and work in the community based on adequate infrastructure and government services, especially schools.

Policy 1-2.1 Designate specific areas to provide for adequate residential development to accommodate anticipated increases in population while maintaining a balance between single-family and multiple-family uses.

Program: The City Planning Department should continue to assist the City Housing Department to identify vacant or underutilized City owned properties that have potential for development for affordable housing.

Policy 1-2.2 Locate higher residential densities near commercial and institutional centers, light rail transit stations, and major bus routes to encourage pedestrian activity and use of public transportation, providing that infrastructure, public service facilities, utilities, and topography will fully accommodate this development.

Objective 1-3 To preserve and enhance the residential character and scale of existing single- and multi-family neighborhoods.

Policy 1-3.1 Protect the quality and scale of the residential environment through attention to the appearance of new construction including site planning and compatible building design.

Policy 1-3.2 Consider factors, such as neighborhood character and aesthetics, identity; compatibility of land uses; impacts on livability, services, public facilities, and traffic levels, when changes in residential densities are proposed.

Objective 1-4 To preserve and enhance neighborhoods with a distinctive and significant historical or architectural character.

Objective 1-6 To promote and ensure the provision of fair and equal housing opportunities for all persons regardless of income and age groups or ethnic, religious, or racial background.

Policy 1-6.1 Promote individual choice in type, quality, price, and location of housing.

Policy 1-6.2 Promote mixed use in all multiple-family residential projects in commercial zones.

Policy 1-6.4 Provide for development of townhouses and duplex housing units to increase home ownership options.

Framework Element. The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

The project site is a under improved parcel designated for Public Facilities land uses. The project provides an infill development in a neighborhood comprised of single-family, multi-family, office, and commercial land uses. By enabling the construction of a mixed-use project with affordable housing and public parking in close proximity to existing commercial uses and residential uses, the proposed project will be consistent with a several important goals, objectives, and policies of the Framework Element, including:

Multi-Family Residential – GOAL 3C

Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.

Objective 3.7 Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

Housing - GOAL 4A

An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

Objective 4.1 Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.

Policy 4.1.1 Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within each City subregion to meet the twenty-year projections of housing needs

Policy 4.1.5 Monitor the growth of housing developments and the forecast of housing needs to achieve a distribution of housing resources to all portions of the City and all income segments of the City's residents.

Policy 4.1.6 Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City.

Objective 4.2 Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

Policy 4.2.1 Offer incentives to include housing for very low- and low-income households in mixed-use developments.

3. The **Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. Avenues 56, 57, and 58 are classified as Local Streets and each dedicated to a 60-foot width, Avenue 59 is classified as a Collector Street and dedicated to a 60-foot width, Marmion Way is classified as a Local Street and dedicated with a variable width of approximately 68 feet, and the Alley is dedicated with a 20-foot width. The project is required to comply with the alley and Local and Collector Street standards of the LAMC. The Bureau of Engineering has conditioned the projects to repair and/or replace any bad order curb, gutter and sidewalk along the subdivision; close any unused driveway with street improvements; construct a 25-foot radius curb return at the intersection of Marmion Way and Avenue 57; construct additional sidewalk with filling in concrete in the corner cuts in Avenue 58 and Avenue 57 with Marmion Way; construct additional sidewalk with filling in concrete in the newly dedicated area and the corner cut in Avenue 59; improve the alley; and construct necessary sewer house connection to serve the subdivision. The Department of Transportation has reviewed the revised project and the traffic impact assessment prepared by Lindscott, Law & Greenspan, dated June 13, 2012. In a memo dated June 3, 2012, DOT concurs that the project will generate an additional 462 daily trips with 36 trips in the a.m. peak hour and 42 trips in the p.m. peak hour, however DOT determined that the proposed project will not result in significant traffic impacts at any of the intersections studied.

Bike Plan. The 2010 Bicycle Plan, a component of the Transportation Element, was adopted on March 1, 2011 and will not be affected by the recommended action. The three goals that have been established by the Plan are to: increase the number of types of bicyclists who bicycle in the City; make every street a safe place to ride a bicycle, and make the City of Los Angeles a bicycle friendly community. These goals will be realized by the implementation of policies, programs, and objectives. Policy 1.2.7 of the Plan is to "develop and implement citywide bicycling parking standards," by increasing the supply of secure bicycle parking.

Site 1 is located two blocks east of Avenue 54 and Site 3 is located one block west of Avenue 60. A 1.24 mile stretch of Avenue 54, between Meridian Street to Glen Ellen Place and a 0.84 mile stretch of Avenue 60, between Figueroa Street to Hill Drive, have both been identified as a Neighborhood of the Bicycle Network and are designated Bicycle Friendly Streets. Sites 1-3 are located one block north of Figueroa Street. A 5.12 mile stretch of Figueroa Street, between Colorado Boulevard and San Fernando Road, identified as a Backbone of the Bicycle Network and is slated for a future bicycle lane.

Bicycle Ordinance No. 182, 386.

The proposed project is not subject to the provisions of the newly adopted Bicycle Ordinance, effective March 13, 2013 because the project was submitted to the Department of City Planning on January 25, 2013. However, the applicant will provide a minimum of 35 bicycle parking spaces on Site 1, 55 bicycle parking spaces on Site 2, and 12 bicycle parking spaces on Site 3, for a total of 102 bicycle spaces.

4. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action.

Entitlement Findings

5. **Conditional Use Findings**

- a. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential to the community, city or region.**

The subject site is located in the Northeast Los Angeles Community Plan and has a Public Facilities land use designation. The project includes three sites, each currently improved with a public surface parking lot that will be demolished.

The applicant is requesting a Conditional Use to permit the construction of a joint public and private developing with residential housing and public parking that is more intensive than those permitted in the most restrictive adjoining zone with the following residential densities: Site 1: 20 units in lieu of the maximum 17 units permitted in the most restrictive adjoining zone of RD2-1-HPOZ, Site 2: 50 units in lieu of the maximum 27 units permitted in the most restrictive adjoining zone of [Q]C4-2D-HPOZ, and Site 3: 10 units in lieu of the maximum 10 units permitted in the most restrictive adjoining zone of [Q]C4-1VL-HPOZ; and the following setbacks: Site 1: a zero-foot to 20-foot 6-inch front yard setback along Avenues 56 and 57 in lieu of the required 15 feet in the most restrictive adjoining zone of RD2-1-HPOZ, Site 1: a zero-foot to 22-foot side yard setback in lieu of the required 5 feet along the northern property line and 6 feet along the southern property line as required in the most restrictive adjoining zone of RD2-1-HPOZ, Site 2: a zero-foot to 21-foot side yard setbacks along Marmion Way, the abutting alley and the adjoining property in lieu of the required 6 and 7 feet as required in the most restrictive adjoining zone of [Q]C4-2D-HPOZ Zone, Site 3: a zero-foot to 10-foot side yard setback along Avenue 59 and the western property line in lieu of the required 6 feet as required in the most restrictive adjoining zone of [Q]C4-1VL-HPOZ, and Site 3: a 10-foot to 15-foot rear yard setback in lieu of the required 15 feet as required in the most restrictive adjoining zone of [Q]C4-1VL-HPOZ. As part of the Conditional Use request, the applicant is also requesting to permit a building height of 47 feet 6 inches on Site 2 in lieu of the maximum permitted height of 45 feet per "D" Limitation in Ordinance 175,088.

McCormack Baron Salazar was established in 1973 and is one of the leading U.S. real estate development firms specializing in economically integrated urban neighborhoods. According to statements made at the public hearing from tenants of a McCormack Baron Salazar's project, the tenants stated that the developer does a great job in managing properties, provides a safe environment, and has lowered crime in the area. Thus, the project will enhance the neighborhood by developing a joint public and private development underutilizing a City owned lot for public benefit. The project will provide much needed market rate condominiums units and affordable apartment units, and well as including a public parking component that maintains the existing number of public parking spaces.

The buildings on Site 1, 2, and 3 have been designed with a Craftsman style architecture and a Renaissance Revival style for the four-story building on Site 2, blending with the surrounding neighborhood consisting a Craftsman style homes and commercial buildings on Figueroa Street. The proposed buildings will have breaks between the building resembling single-family structures, reducing the massing and scale to be harmonious with the existing neighborhood development. The project will benefit the community by activating the streetscape with the use of front porches at individual residences and providing a use for the Metro Gold Line Highland Park Station commuters and the commercial uses along Figueroa Street.

The Highland Park Transit Village tenants and the many travelers using the Metro Gold Line will support the commercial uses on Figueroa Street. The project will maintain the number of existing public parking spaces that will continue to serve the adjoining commercial properties along Figueroa Street and the adjacent Metro Gold Line Highland Park station. Therefore, the project will enhance the surrounding community by incorporating a joint-public private development on City owned underutilized lots with market rate housing, affordable housing, and public parking.

- b. The project's location size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The project sites are located north of Figueroa Street and south of the Avenue 57 Metro Gold Line Station. Each site is located in a separate block, traversed by Avenues 57 and 58. The surrounding uses of Site 1, 2, and 3 generally consist of single and multi-family uses, commercial uses, and the Metro Gold Line Highland Park station. The three project sites are improved with public surface parking lots that will be demolished. The number of public parking spaces will be maintained within the three sites and will continue to serve the neighboring commercial uses and the adjacent Metro Gold Line Highland Park station.

Density.

The sites are zoned PF-2D-HPOZ and with the approval of a Conditional Use, a joint public and private development with residential and public parking uses that is more intensive than those permitted the most restrictive adjoining zone will be allowed. The applicant is requesting the following densities: Site 1: 20 units in lieu of the maximum 17 units permitted in the most restrictive adjoining zone of RD2-1-HPOZ, Site 2: 50 units in lieu of the maximum 27 units permitted in the most restrictive adjoining zone of [Q]C4-2D-HPOZ, and Site 3: 10 units in lieu of the maximum 10 units permitted in the most restrictive adjoining zone of [Q]C4-1VL-HPOZ. Site 1 is requesting 20 market rate condominium units or three additional units than allowed in

the most restrictive adjoining zone. The three additional market rate units would provide a benefit to the public by providing more homeownership opportunities to individuals and families at a lower cost than single-family homes. Site 3 is requesting a density of 10 affordable dwelling units, consistent with the maximum allowed density for the Q]C4-1VL-HPOZ.

Site 2 is providing 49 low income units and with a Density Bonus request, the site would technically permit a maximum of 35 dwelling units. The project has been designed to be compatible with the immediate adjoining properties with Craftsman style architecture using articulation and recessing surface perforations and porticos, the use of front porches and balconies that break up the building facades, and the use of varied roof lines.

Floor Area Ratio.

The sites are zoned PF-2D-HPOZ and are limited to a 1.5:1 under the "D" limitation. Site 1 proposes a maximum floor area of 24,290 square feet (0.87:1 FAR), Site 2 proposes a maximum floor area of 55,115 square feet (1.43:1 FAR), and Site 3 proposes a maximum floor area of 11,169 square feet (0.85:1 FAR). The development for each site has been designed within the allowable floor area ratio and will not adversely affect the surrounding area.

Setbacks.

The PF Zone does not include area regulations and allows a limited number of public facilities uses and conditional uses. The City Planning Commission has the authority to approve a conditional use permit for a joint public and private development with a residential use and a public parking use that is "more intensive" than those uses permitted in the most restrictive adjoining zone. The PF Zone does not require setbacks, however the proposed yard setbacks are compared to the proposed setbacks of the most restrictive adjoining zone. The proposed yard setbacks that do not conform to the most restrictive adjoining zone are primarily due to the stairwell and elevator structures that are necessary for the access to the subterranean public parking area and must be located close to the property line for access to the public sidewalk. Typically, the Department of Building and Safety requires a certain distance between exit stairs and the location adjacent to the sidewalk and property lines in order to allow users of the public parking to exit onto the sidewalk. The freestanding stairwell and elevator structures are one-story in height and are designed to complement the building architecture.

The project is also proposing front porches at all the individual residential unit entries that front along Avenues 56, 57, and 58, and Marmion Way. Porches are an important design feature and are widely encouraged in the City's Residential Citywide Design Guidelines. The porches were designed to provide a transition space from the public to private realm and to break the scale and massing of the building façade. The front porches is an important design element, as it will encourage interaction between the neighbors while providing a physical space to add "eyes on the street" as well as encourage a pedestrian friendly atmosphere. The Department of Building and Safety measures setbacks to the front porches, as they are one-story, covered outdoor spaces with a roof that is supported by columns. Additional setbacks are necessary to incorporate the architecture features that break of massing and flat building facades that include articulation and recessing surface perforations, porticos, and balconies. Further, front and side yard setbacks are

proposed to match the surrounding buildings on the block, and be compatible with the existing yard setbacks of the neighboring uses.

Site 1. The front yards of Site 1 are along Avenue 56 and Avenue 57. The remaining yards are side yards. The front yard setback requirement for the most restrictive adjoining zone is 15 feet and the applicant is proposing a variable front yard setback of zero to 20 feet 6 inches. On Avenue 56, the setbacks to the front porch columns are 26-foot 6-inch, providing more than the minimum 15 feet. The 12-foot high elevator and enclosed stairway from the subterranean public parking will have an 8-foot front yard setback on Avenue 56 and has been designed to align with the commercial building located at the adjacent property to the south. With the exception of the front porches, the applicant is proposing a 24-foot front yard setback for the residential building (more than the required 15-foot) and is has been designed to align with the residential building located at the adjacent property to the north.

On Avenue 57, the applicant is proposing a variable front yard setback of zero feet to 20 feet 6 inches. The front porch columns are setback 20 feet 6 inches and the main building wall is setback 24 feet, more than the required 15-foot setback. The one-story elevator structure for the required pedestrian access to the subterranean garage public parking is proposed with a zero-foot setback.

The side yards in the most restrictive adjoining zone are 5 feet for two-story buildings and 6 feet for three-story buildings. The applicant is providing a variable side yard setback of zero feet to 22 feet from the south property lines facing the commercial properties to the south. There are two sets of an enclosed one-story stairwell and elevator structure located at the south property line towards Avenue 56 with a zero-foot side yard setback. One of the stairwell and elevator provide access to the public subterranean parking level and the other stairwell and elevator provide access for the residents to the residential parking levels. Many of the side yard setbacks are more than the minimum 5 and 6 feet and will be landscaped to mitigate the stairwell and elevators. The two-story buildings facing the north property line are providing 8 to 11 foot side yard setbacks, more than the required 6-foot required.

Site 2. The front yards of Site 2 are along Avenue 57 and Avenue 58. The remaining yards are side yards. The front yard setback requirement for the most restrictive adjoining zone is zero feet. The applicant is providing a variable front yard setback of 1 foot 6 inches to 5 feet for the three-story residential structures on Avenue 57 and a 5-foot setback for the three-story residential setbacks along Avenue 58, since the front porches are located 5 feet from the front yard. The front yards proposed are more than the zero-foot required.

The side yard setback requirement for the most restrictive adjoining zone is 6 feet for three-story buildings and 7 feet for four-story buildings. Along Marmion Way, the applicant is proposing a 5-foot side yard setback to the front porch and a 8-foot 6-inch side yard setback to the main three-story residential structures. The residential structures that front on Marmion Way are located across the Metro Gold Line Highland Park Station therefore will not impact any residential neighboring properties.

Along the alley and surface parking lot to the south, the applicant is proposing a zero-foot side yard setback for the four-story building. However, the three-story building facing Avenue 57 will have a 16-foot side yard and the three-story

building facing Avenue 58 will have a 21-foot side yard setback. A transformer and a one-story enclosed elevator to the subterranean public parking will have a 4-foot side yard setback from the alley, near Avenue 57. The adjacent alley to the south provides a 20-foot buffer between the south property line and the adjacent commercial uses that front along Figueroa Street.

Site 3. The front yard of Site 3 is along Marmion Way, the rear is the alley, and the side yards are along Avenue 59 and the west property line. The front yard setback requirement for the most restrictive adjoining zone is zero feet. The applicant is providing a five-foot front yard setback for the three-story residential structure. The 12-foot high enclosed stairway from the subterranean public parking, located at the northwest corner of the site, will have setback of zero feet.

The side yard setback requirement for the most restrictive adjoining zone is 6 feet for three-story buildings. Along Avenue 59, the applicant is proposing a 5-foot side yard setback for the northern building and a 5-foot side yard to the front porches of the buildings facing Avenue 59. A one-story enclosed stairway, located at the southeasterly corner of the site will be setback 3 feet 1 inch from the side yard. The stairwell provides an exit from the subterranean public parking area and must be located close to the property line for access to the public sidewalk. Along the west property line, the applicant is proposing a 10-foot side yard setback, more than the required 6 feet. A one-story stairwell that serves the underground parking, is proposed with a zero-foot side yard along the west property line.

The rear yard setback requirement for the most restrictive adjoining zone is 15 feet. The three-story residential building is proposed to have a setback of 22 feet 8 inches from the property line along the alley. However, pursuant to LAMC Section 12.22-C.10, one-half of the alley adjacent to a rear property line may assume to be a portion of the required rear yard. Therefore, the residential structure has a 32-foot 8-inch rear yard setback. A one-story elevator that provides access to the subterranean public parking level is located 5 feet from the rear property line or a 15-foot rear yard setback from the centerline of the alley. A enclosed stairwell from the subterranean public level is 10 feet from the center line of the alley. The accessory uses are required to access the public parking.

Height. The most restrictive adjoining zone are RD2-1-HPOZ (Site 1), [Q]C4-2D-HPOZ Zone (Site 2), and [Q]C4-1VL-HPOZ Zones (Site 3), with a height limit of 45-feet for Sites 1 and 3 and an unlimited number of stories for Site 2. The sites are zoned PF-2D-HPOZ and the "D" limitation limits the building height to 45 feet. Site 1 proposes a maximum building height of 45 feet and Site 3 proposed a maximum building height of 39 feet 6 inches, meeting the 45-foot height limit.

Site 2 proposes five three-story structures that front on Avenue 57, Avenue 58, and Marmion Way with a maximum height of 41 feet 4 inches and 44 feet 4 inches. Site 2 also proposes a 25-unit four-story building at the southeast property line, adjacent to the alley, with a maximum height of 47 feet 6 inches. As part of the Conditional Use request, the applicant is requesting to permit an additional height of 2 feet 6 inches to accommodate the proposed design and site constraints of the four-story building. The height is necessary since the project site slopes upward from west to east by approximately 6 feet. The Department of Building and Safety measures height from the lowest point located five feet away from the building, resulting in 47 feet 6 inches for the westerly portion of the four-story building. The

eastern portion of the building, when measured from the ground floor elevation has a height of 45 feet 4 inches. According to the applicant, the second floor level cannot be lowered as the ground floor elevation of the building matches the finish floor of the courtyard space between the buildings and the main pedestrian entry on Marmion Way. The four-story building is internally located at the southeast property line, adjacent to the alley. The building has been located furthest away from the streets fronting property lines. The proposed three-story buildings on Avenues 57 and 58, and Marmion Way buffer the direct views to the four-story building. The resulting overall project massing is stepped back as the taller structures are screened from direct view from the public right-of-ways.

The location is appropriate for a joint public and private development. The project will provide 20 market rate for-sale housing, 59 affordable units, and one non-restricted manager's unit in a neighborhood consisting of single and multiple-family housing and commercial/retail properties. The project is also adjacent to major transit corridors of the Metro Gold Line Rail transit station and Figueroa Street. The development is compatible with the surrounding residential and commercial development in the neighborhood. The location is appropriate for a joint public and private development and McCormack Baron Salazar is a very well respected developer and manager that operates in other parts of the country where the public health, welfare, and safety is maintained and enhanced. Further, the ground floor patio and public parking will help activate the sidewalk in the day and evening hours.

c. The project substantially conforms with the purpose, intent and provisions of the general plan, the applicable community plan, and any applicable specific plan.

The subject properties are located in the Northeast Los Angeles Community Plan. The sites are zoned PF-2D-HPOZ and have a Public Facilities land use designation in the Northeast Los Angeles Community Plan. The subject site is located within the Avenue 57 Transit Oriented District Specific Plan Area.

The proposed project meets a number of goals, objectives, and policies that are outlined in the Northeast Los Angeles Plan area including:

Goal 1 A safe, secure, and attractive residential environment for all economic, age, and ethnic segments of the community.

Objective 1-2 To allocate land for new housing to accommodate a growth of population that is consistent with and promotes the health, safety, welfare, convenience, and pleasant environment of those who live and work in the community based on adequate infrastructure and government services, especially schools.

Policy 1-2.1 Designate specific areas to provide for adequate residential development to accommodate anticipated increases in population while maintaining a balance between single-family and multiple-family uses.

Policy 1-2.2 Locate higher residential densities near commercial and institutional centers, light rail transit stations, and major bus routes to encourage pedestrian activity and use of public transportation, providing that infrastructure, public service facilities, utilities, and topography will fully accommodate this development.

Objective 1-3 To preserve and enhance the residential character and scale of existing single- and multi-family neighborhoods.

Policy 1-3.1 Protect the quality and scale of the residential environment through attention to the appearance of new construction including site planning and compatible building design.

Policy 1-3.2 Consider factors, such as neighborhood character and aesthetics, identity; compatibility of land uses; impacts on livability, services, public facilities, and traffic levels, when changes in residential densities are proposed.

Objective 1-4 To preserve and enhance neighborhoods with a distinctive and significant historical or architectural character.

Objective 1-6 To promote and ensure the provision of fair and equal housing opportunities for all persons regardless of income and age groups or ethnic, religious, or racial background.

Policy 1-6.1 Promote individual choice in type, quality, price, and location of housing.

Policy 1-6.2 Promote mixed use in all multiple-family residential projects in commercial zones.

Policy 1-6.4 Provide for development of townhouses and duplex housing units to increase home ownership options.

Framework Element. The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

The project site is a under improved parcel designated for Public Facilities land uses. The project provides an infill development in a neighborhood comprised of single-family, multi-family, office, and commercial land uses. By enabling the construction of a residential project with affordable housing in close proximity to existing commercial uses and residential uses, the proposed project will be consistent with a several important goals, objectives, and policies of the Framework Element, including:

Multi-Family Residential – GOAL 3C

Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.

Objective 3.7 Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

Housing - GOAL 4A

An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

Objective 4.1 Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.

Policy 4.1.1 Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within each City subregion to meet the twenty-year projections of housing needs

Policy 4.1.5 Monitor the growth of housing developments and the forecast of housing needs to achieve a distribution of housing resources to all portions of the City and all income segments of the City's residents.

Policy 4.1.6 Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City.

Objective 4.2 Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

Policy 4.2.1 Offer incentives to include housing for very low- and low-income households in mixed-use developments.

The subject site is located within the Avenue 57 Transit Oriented District Specific Plan Area. The project is consistent with the following purposes of the Specific Plan:

“Continue and maintain a diverse community, where people of many different ages, incomes, family formation types, and cultural perspectives will live, work and shop in harmony in a neighborhood that supports cultural differences among neighbors by encouraging provisions of a range of housing types to allow a diversity of income ranges, providing for transportation linkages to allow the existing diverse population access to job centers, and assisting in the preservation of a sense of place that brought the diverse population mix here in the first place.”

“Maintain a stable community that residents can invest in and live in from childhood through family formation, to retirement, by supporting home ownership, promoting development of family-friendly affordable homes available to local residents to purchase, and supporting new construction of family-sized, affordable homes available to local residents to purchase, and supporting new construction of family sized, affordable housing units.

The PF Zone allows a limited number of public facilities uses and also allows conditional uses pursuant to LAMC Section 12.24-U,21. Approval of the Conditional Use will allow a joint public and private development that is more intensive than those uses permitted in the restrictive zone. The project is consistent with the many goals in the Northeast Los Angeles Community Plan, Framework Element, and the

Avenue 57 Transit Oriented District Specific Plan Area. As proposed, the project provides a street-level use which would serve to encourage pedestrian activity in the area, the proposed use can be deemed to be in harmony with the General Plan. The project would enhance the viability of area businesses and creates a linkage between the Highland Park Transit Village station and the commercial uses along Figueroa Street.

d. Benefits are provided to the public.

The Highland Park Transit Village project will provide the following benefits to the public:

- The sale of affordable housing to existing members of the community
- Density near transit as it is located adjacent to the Metro Gold Line Highland Park station and the Figueroa Street commercial corridor
- The addition of 80 families to the area to use the commercial uses on Figueroa Street
- 20 new market-rate for-sale residential units
- 59 new affordable residential units and 1 non-restricted manager's unit
- Energy efficient design
- Craftsman style architecture that is compatible with the existing development pattern
- New landscape and trees, including street trees
- Variety setbacks and roof lines
- The use of underutilized public land
- Temporary constructions jobs
- Increased property tax for the City

e. That the benefit accruing from the project, whether as a result of additional taxes of the provision of public facilities, is sufficient to outweigh any impairment of the public interest that may be created by the public agencies; proposed use of the land.

The site is owned by the Department of Transportation and is currently improved with public surface parking, serving the Metro Gold Line Transit station and commercial uses along Figueroa Street. The site is currently underutilized. The Highland Park Transit Village project proposes the construction of new housing while preserving the existing public parking use in surface and subterranean parking garages on Sites 1, 2, and 3. The project is well designed and will create benefits to the community with the use of Craftsman style architecture, new landscaping, and new street trees. The community will benefit by the creation of 20 market rate units and 59 affordable housing units. In addition to providing much needed housing, the project meets many of the goals and objectives of the Community Plan, Specific Plan, and Bike Plan. By creating a joint public and private development use allowed by a Conditional Use, the use proposed outweighs any impairment of the public interest.

6. Zoning Administrator Adjustment Findings

a. While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.

The applicant is requesting approval of a Zoning Administrator's Adjustment to allow reduced passageways to the street: Site 1: a 9-foot passageway in lieu of the required 10 feet for a two-story building, Site 2: a 9-foot 8-inch passageway between a stair and a wall in lieu of the required 12 feet for a three-story building and a 11-foot 3-inch passageway between a stair and a wall and a 12-foot 7-inch passageway in lieu of the required 14 feet adjacent to a four-story building, and Site 3: a 9-foot 8-inch passageway between a stair and a wall and a 11-foot 6 inch passageway in lieu of the required 12 feet passageway required for a three-story building.

The Code requires separation between structures and passageways to provide light, air, privacy, and emergency access. The project has been designed with the following: Site 1 will consist of five residential buildings over two levels of subterranean public and private parking and will consist of three 2-story buildings and two 3-story buildings; Site 2 will consist of three 3-story residential buildings over a one level subterranean garage and one 4-story building (three stories of residential over one ground level of public parking and one subterranean level with public and private parking); and Site 3 will consist of two 3-story residential buildings over one subterranean level of public and private parking and public parking in the alley. The proposed building design is considered to be the most appropriate and efficient building design in order to meet the functional needs of the future occupants and current neighbors, while maintaining the aesthetic integrity of the development.

Site 1: The applicant is requesting a 9-foot passageway in lieu of the required 10 feet for a two-story building that is centrally and internally located on Site 1. The Code required passageways are provided at the majority of the site, with the exception of the narrowest portion of Site 1. A 10% reduction of the Code required passageway is requested to due to the physical constraint caused by the narrow site.

Site 2: The applicant is requesting a 9-foot 8-inch passageway between a stair and a wall in lieu of the required 12 feet for a three-story building and a 11-foot 3-inch passageway between a stair and a wall and a 12-foot 7-inch passageway in lieu of the required 14 feet adjacent to a four-story building. According to the applicant, the configuration of the buildings on the site was designed to maximize the number of affordable units, while providing an aesthetically suitable development that is complementary to adjacent uses. Therefore the site was designed with the 4-story residential building at the southern and the three 3-story buildings located to the west and north of the 4-story building. The majority of Site 2 complies with the Code required passageways, with the exception of the building located on the western side of the site and therefore a 19% reduction is requested for the proposed 9-foot 8-inch passageway and a 10% reduction for the proposed 12-foot 7 inch passageway.

Site 3: The applicant is requesting a 9-foot 8-inch passageway between a stair and a wall and a 11-foot 6 inch passageway in lieu of the required 12 feet passageway required for a three-story building. The space between the two 3-story buildings and the stair is 9 feet 8 inches and 19% less than the required 12-foot and a 11-foot 6-inch passageway and 4% less for the portion of the passageway between the two buildings. The majority of Site 3 provides a 13-foot passageway between the two buildings, more than the minimum required width.

The variable building separations are mostly internal to the project and will have no impact, visual or otherwise, on the adjacent uses. The project design will provide adequate open space, privacy, light, and air.

- b. **In light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The project sites are located north of Figueroa Street and south of the Avenue 57 Metro Gold Line Station. Each site is located in a separate block, traversed by Avenues 57 and 58. The surrounding uses of Site 1, 2, and 3 generally consist of single and multi-family uses, commercial uses, and the Metro Gold Line Highland Park station. The three project sites are improved with public surface parking lots that will be demolished. The number of public parking spaces will be maintained within the three sites and will continue to serve the neighboring commercial uses and the adjacent Metro Gold Line Highland Park station.

The location is appropriate for a joint public and private development. The project will provide 20 market rate for-sale housing, 59 affordable units, and one non-restricted manager's unit in a neighborhood consisting of single and multiple-family housing and commercial/retail properties. The project is also adjacent to major transit corridors of the Metro Gold Line Rail transit station and Figueroa Street. The development is compatible with the surrounding residential and commercial development in the neighborhood.

Site 1, 2, and 3 have been designed with a Craftsman style architecture and a Renaissance Revival style for the four-story building on Site 2, blending with the surrounding neighborhood consisting a Craftsman style homes and commercial buildings on Figueroa Street. The proposed buildings will have breaks between the building resembling single-family structures, reducing the massing and scale to be harmonious with the existing neighborhood development.

Site 1 will contain five residential buildings connected by walkways, open space, courtyards, and underground public and private parking. The buildings range in height from two stories (32 feet) to three stories (45 feet).

The applicant is requesting a 9-foot passageway in lieu of the required 10 feet for a two-story building. The requested passageway reduction is located on the narrowest part of the site that abuts a commercial parking lot, a one-story storage building, and the backside of a one-story commercial building with no windows or doors. The reduce passageway request is centrally and internally located on Site 1 and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

Site 2 will contain four residential buildings connected by walkways, open space, courtyards, and underground public and private parking. The buildings range in height from three stories (41 feet 4 inches) to 4 stories (47 feet 6 inches). The four-story building contains 25 units and will be internally located and adjacent to the southern property line along the alley. The four-story building will be buffered from direct views along Marmion Way, from the residential properties further to the northwest, and by the proposed three-story buildings that front on Avenue 57, Avenue 58, and on Marmion Way. The design of the site is stepped-back so that the taller structure is screened from direct views from the public right-of-way.

The applicant is requesting a 9-foot 8-inch passageway between a stair and a wall in lieu of the required 12 feet for a three-story building and a 11-foot 3-inch passageway between a stair and a wall and a 12-foot 7-inch passageway in lieu of the required 14 feet adjacent to a four-story building. The reduced passageways on Site 2 will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety. The requested 9-foot 8-inch reduction will only affect one small area within the development. The proposed 11-foot 3-inch and 12-foot 7-inch passageway reductions are located on a limited section of the passageway between the 4-story building located to the south of the site and the building located along Avenue 57. The units in the three-story building affected by this passageways reduction are minimal since the reduced space between the buildings only impacts a portion of the passageway for the building.

Site 3 will contain two buildings connected by walkways, open space, a courtyard, and underground public and private parking. The buildings are three stories (39 feet 6 inches).

The applicant is requesting a 9-foot 8-inch passageway between a stair and a wall and a 11-foot 6 inch passageway in lieu of the required 12 feet passageway required for a three-story building. The reduced passageways on Site 3 and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety. The requested passageway reduction is not significant as it affects a short distance between the two structures located on the site and the affected units have frontages along the adjacent streets and the courtyard.

c. The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

The subject property is located in the Northeast Los Angeles Community Plan. The sites are zoned PF-2D-HPOZ and have a Public Facilities land use designation in the Northeast Los Angeles Community Plan. The subject site is located within the Avenue 57 Transit Oriented District Specific Plan Area. Adjustment requests are technical issues that are not discussed in the Plan. The proposed project meets a number of goals, objectives, and policies that are outlined in the Northeast Los Angeles Community Plan area including:

Goal 1 A safe, secure, and attractive residential environment for all economic, age, and ethnic segments of the community.

Objective 1-2 To allocate land for new housing to accommodate a growth of population that is consistent with and promotes the health, safety, welfare, convenience, and pleasant environment of those who live and work in the community based on adequate infrastructure and government services, especially schools.

Policy 1-2.1 Designate specific areas to provide for adequate residential development to accommodate anticipated increases in population while maintaining a balance between single-family and multiple-family uses.

Policy 1-2.2 Locate higher residential densities near commercial and institutional centers, light rail transit stations, and major bus routes to encourage pedestrian activity and use of public transportation, providing that infrastructure, public service facilities, utilities, and topography will fully accommodate this development.

Objective 1-3 To preserve and enhance the residential character and scale of existing single- and multi-family neighborhoods.

Policy 1-3.1 Protect the quality and scale of the residential environment through attention to the appearance of new construction including site planning and compatible building design.

Policy 1-3.2 Consider factors, such as neighborhood character and aesthetics, identity; compatibility of land uses; impacts on livability, services, public facilities, and traffic levels, when changes in residential densities are proposed.

Objective 1-4 To preserve and enhance neighborhoods with a distinctive and significant historical or architectural character.

Objective 1-6 To promote and ensure the provision of fair and equal housing opportunities for all persons regardless of income and age groups or ethnic, religious, or racial background.

Policy 1-6.1 Promote individual choice in type, quality, price, and location of housing.

Policy 1-6.2 Promote mixed use in all multiple-family residential projects in commercial zones.

Policy 1-6.4 Provide for development of townhouses and duplex housing units to increase home ownership options.

Framework Element. The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

The project site is a under improved parcel designated for Public Facilities land uses. The project provides an infill development in a neighborhood comprised of single-family, multi-family, office, and commercial land uses. By enabling the construction of a residential project with affordable housing in close proximity to existing commercial uses and residential uses, the proposed project will be consistent with a several important goals, objectives, and policies of the Framework Element, including:

Multi-Family Residential – GOAL 3C

Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.

Objective 3.7 Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

Housing - GOAL 4A

An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

Objective 4.1 Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.

Policy 4.1.1 Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within each City subregion to meet the twenty-year projections of housing needs

Policy 4.1.5 Monitor the growth of housing developments and the forecast of housing needs to achieve a distribution of housing resources to all portions of the City and all income segments of the City's residents.

Policy 4.1.6 Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City.

Objective 4.2 Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

Policy 4.2.1 Offer incentives to include housing for very low- and low-income households in mixed-use developments.

The subject site is located within the Avenue 57 Transit Oriented District Specific Plan Area. The project is consistent with the following purposes of the Specific Plan:

“Continue and maintain a diverse community, where people of many different ages, incomes, family formation types, and cultural perspectives will live, work and shop in harmony in a neighborhood that supports cultural differences among neighbors by encouraging provisions of a range of housing types to allow a diversity of income ranges, providing for transportation linkages to allow the existing diverse population access to job centers, and assisting in the preservation of a sense of place that brought the diverse population mix here in the first place.”

“Maintain a stable community that residents can invest in and live in from childhood through family formation, to retirement, by supporting home ownership, promoting development of family-friendly affordable homes available to local residents to purchase, and supporting new construction of family-sized, affordable homes available to local residents to purchase, and supporting new construction of family sized, affordable housing units.

The PF Zone allows a limited number of public facilities uses and also allows conditional uses pursuant to LAMC Section 12.24-U,21. Approval of the Conditional Use will allow a joint public and private development that is more intensive than those permitted in the restrictive zone. The project is consistent with the many goals in the Northeast Los Angeles Community Plan, Framework Element, and the Avenue 57 Transit Oriented District Specific Plan Area. The fact that the project would provide a street-level use which would serve to encourage pedestrian activity in the area, the proposed use can be deemed to be in harmony with the General Plan. The project would enhance the viability of area businesses and create a linkage between the Highland Park Transit Village station and the commercial uses along Figueroa Street.

7. Project Permit Compliance Findings.

- d. **Zoning and Land Use (Section 5.).** *Except as may be otherwise permitted herein, the uses permitted within each of the subareas of the Specific Plan shall be those permitted by the underlying zoning of each parcel and the maximum permitted development on any lot or combination of lots forming a single development site including all incentives listed in Section 6 of this Ordinance shall not exceed a floor area ratio of 3:1. Notwithstanding any provision of the Code or this Specific Plan to the contrary, no more than three commercially zoned lots, having a combined lot area of no more than 15,000 square feet, may be tied or otherwise combined together to form a site for the construction of a single non-residential building or Unified Development. All site access and parking shall be provided within the combined lot area, without crossing or connecting to any adjoining commercial developments.*

Zoning/Land Use. The proposed Project is a joint public and private mixed use development that contains multiple-family residential and public parking uses within three separate sites. The Project is permitted as a Conditional Use within the PF-1-HPOZ Zone, (pursuant to Los Angeles Municipal Code Section 12.24 U.21), because the proposed use/density is more intense than those of the most restrictive adjoining properties (RD2-1-HPOZ). In addition, the Project is located within the Highland Park Historic Preservation Overlay Zone (HPOZ) and the Avenue 57 Transit Oriented District Specific Plan.

The proposed use for Site 1 includes: 20 for-sale condominium units with associated parking, and a public parking component; Site 2 includes: 50 dwelling units which include 49 affordable rental units and one non-restrictive manager's unit with associated parking, and a public parking component; and Site 3 contains: 10 affordable rental units and associated parking, and a public parking component.

Lot Assembly. *No more than three commercially zoned lots, having a combined lot area of no more than 15,000 square feet, may be tied or otherwise combined together to form a site for the construction of a single non-residential building or Unified Development.*

The Project will conform to the requirement limiting up to three commercially zoned lots being combined to form a single non-residential building or Unified Development as none of the subject sites are commercially zoned (PF-2D-HPOZ), and will contain a mixed use (residential/commercial).

Floor Area Ratio. *The maximum permitted development on any lot or combination of lots forming a single development site shall not exceed a Floor Area Ratio (FAR) of 3:1.*

The FAR for Site 1 is 0.89:1. The FAR for Site 2 is 1.43:1. The FAR for Site 3 is 0.85:1. The proposed range of development falls within the maximum floor area that is permitted by the Specific Plan.

Site Access and Parking. *All site access and parking shall be provided within the combined lot area, without crossing or connecting to any adjoining commercial developments.*

Sites 1, 2, and 3 all provide on-site parking/site access and neither cross nor connect to any other commercial developments. Site 1 includes 45 private residential parking spaces and 116 City of Los Angeles public parking spaces with site access from Avenue 57. Site 2 includes 51 private residential parking spaces and 81 City of Los Angeles public parking spaces with site access from Avenue 58 and the adjacent alley. Site 3 contains 10 private residential parking spaces and 24 City of Los Angeles public parking spaces. Site access is from the adjacent alley.

- e. **Historic Preservation Overlay Zone (Section 7.B.).** *The approval requirements and provisions of the Highland Park HPOZ apply to the entire area included within the Avenue 57 Transit Oriented District Specific Plan.*

The proposed Project is subject to the requirements of the Highland Park/Garvanza HPOZ and the subject approval, which includes a Certificate of Compatibility (CCMP).

- f. **Lot Assembly Restrictions.** *A lot assembly restriction of a maximum of two lots with a combined area equal to or less than 10,000 square feet for residential development or three lots with a combined area equal to or less than 15,000 square feet for commercial development shall apply to the entire area included within the Avenue 57 Transit Oriented District Specific Plan. Except that Subarea 1 – Major Activity Center and that portion of Subarea 2 – Mixed Use Area bounded by Marmion Way to the north, Figueroa Street to the south, Avenue 59 to the east and Avenue 58 to the west shall have a lot assembly restriction of a maximum of four lots with a combined area equal to or less than 20,000 square feet for residential development or six lots with a combined area equal to or less than 50,000 square feet for commercial or mixed use developments (Avenue 57 TOD, Section 7.B.2, pg. 12).*

This joint public-private Project proposes a mixed-use development containing multiple-family residential uses and public parking. Mixed-use developments within the areas specified above have a lot assembly restriction of a maximum of six lots with a combined area equal to or less than 50,000 square feet. Each of the three proposed sites meet this requirement – Site 1 assembles four lots with a combined area of 34,920 sq. ft., Site 2 assembles six lots with a combined area of 38,595 sq. ft. and Site 3 assembles four lots with a combined area of 13,508 sq. ft., as shown on following chart.

Table 1. Lot Assembly and Square Footage					
Site 1		Site 2		Site 3	
Parcel	Square Footage	Parcel	Square Footage	Parcel	Square Footage
1	10,202	1	9,376	1	2,701
2	4,601	2	3,002	2	3,378
3	10,211	3	3,203	3	3,692
4	9,906	4	6,250	4	3,737
		5	7,392		
		6	9,372		
Total	34,920	Total	38,595	Total	13,508

- d. ***SUBAREA 3 – MIXED USE AREAS (Section 10). Development Standards for Mixed Use Projects.*** All Mixed Use Projects shall comply with the following development standards.

These requirements do not apply to Sites 1 and 2 as they are located within Sub Area 1-Major Activity Center and not within the Mixed Use Sub Area. Site 3 is located within Subarea-3 and includes a Mixed Use Project. It conforms to the Development Standards for Mixed Use Projects of Section 10 A as follows:

Landscaping and Surface Parking. *Landscaping of Projects and surface parking lots shall be provided in accordance with the requirements set forth in Section 12.22 A 23 (a) (mini-shopping centers and commercial corner development) of the Code.*

The landscaping standard requires a 5'-0" wide landscape strip along the street frontages. Site 3 provides a landscape strip comprised of raised landscape planters along Marmion Way and Avenue 59 that is approximately 5'-0" wide except where interrupted by individual residential unit entry walkways and porches and exit stairs which provide ingress and egress to the public parking use. Reduced yard setbacks are permitted pursuant to the subject Conditional Use Permit. Therefore, Site 3 is in substantial conformance with the Specific Plan's landscape requirement.

Open Areas. *All open areas not used for buildings, driveways, parking, recreational facilities, or pedestrian amenities shall be landscaped by shrubs, trees, ground cover, planter boxes, flowers or fountains.*

Pavement. *Paved areas, excluding parking and driveway areas, shall consist of enhanced paving materials such as stamped concrete, permeable paved surfaces, tile, and/or brick pavers.*

All open areas on Site 3 not used for building, driveways, parking, recreational facilities, or pedestrian amenities will be landscaped with shrubs, trees, ground cover, and planters as depicted in the Landscape Plans. The hardscaped areas internal to Site 3 will include integral colored pavers.

Open Space. *All projects shall comply with the open space requirements for six or more residential units pursuant to Section 12.21 G of the Code.*

Site 3 will have ten dwelling units, seven dwelling units with three habitable rooms and three dwelling units with more than three habitable rooms. As required by LAMC 12.21 G.2, Site 3 will require 1400 sq. ft. of usable open

space. The Project will meet this requirement by providing 1200 sq. ft. of common open space and 200 sq. ft. of private open space.

Site 3	Units	Open Space Required Per Unit	Total Open Space Required
Units with 3 Habitable rooms	7	125 sq. ft. per unit	875 sq. ft.
Units with more than 3 habitable Rooms	3	175 sq. ft. per unit	525 sq. ft.
Subtotal	10		

Facade Relief. *Building Frontages shall be designed to comply with the following requirements. Compliance with these standards, does not relieve a developer from meeting the HPOZ Ordinance review and approval requirements. These standards do not apply to accessory buildings, additions, remodels, or any change of use in an existing building.*

(a) Horizontal architectural treatments and/or façade articulations such as cornices, friezes, balconies, awnings, pedestrian amenities, or other features shall be provided for every 39 feet of building height visible from a street.

(b) If a Mixed Use Project includes 40 or more feet of Building Frontage visible from a street, then vertical architectural treatments and/or facade articulations such as columns, pilasters, indentations, or other features shall be provided every 25 feet. The minimum width of each vertical break shall be eight feet and the minimum depth shall be two feet.

Site 3 includes facades with horizontal architectural treatments and/or façade articulations such as eaves, overhangs, balconies, porch and roofs. Site 3 also includes vertical articulation features such as porch columns, window and door trim, pitched roofs and eaves and the change in plane of the façade. The design of all Project structures shall conform to the requirements of the Conditions of Approval herein for the associated Certificate of Compatibility (CCMP).

Signs. *Signs shall comply with the requirements of Section 12.22 A 23 (a) (9) (mini shopping center and commercial corner developments) of the Code.*

A sign program was not submitted as part of the subject request, however, signs shall comply with the Zoning Code and the requirements of LAMC Section 12.22 A.23 (a)(9), as conditioned herein.

Noise Control. *Any dwelling unit exterior wall including windows and doors having a line of sight to Figueroa Street shall be constructed so as to provide a Sound Transmission Code Class of 50 or greater, as defined in the Uniform Building Code Standard No.-1, 1979 edition. The developer, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, specifying any alternative means of sound insulation sufficient to reduce interior noise levels below 45dBA in any habitable room.*

Rooftop Appurtenances. *All ventilation heating, or air conditioning ducts, tubes, equipment, or other related rooftop appurtenance shall be screened when viewed from adjacent streets.*

The Site 3 units have no direct line of site to Figueroa Street as the site does not have any frontage along Figueroa and is located to the north of existing commercial buildings, located along Figueroa Street, which serve to block the direct line of site. Therefore, the Noise Control development standard is not applicable. Site 3 will comply with the Rooftop Appurtenances development standard as it includes pitched roofs with no rooftop equipment.

Mixed Use Incentives. The Director of Planning, pursuant to the Project Approval procedures set forth in Section 11.5.7 C of the Code, may approve any two of the following incentives for a Project within the Mixed Use Subarea:

Mixed Use
Joint Living and Work Quarters
Adaptive Reuse

The proposed Project has not requested approval or indicated use of the Mixed Use incentives found under Section 6.B.8 of the Specific Plan.

9. Specific Plan Exception Findings.

Section 7.B.2 of the Avenue 57 TOD Specific Plan contains regulations which limit the number of lots that can be assembled and the maximum combined lot area for a Project as follows:

Section 7.B.2 - Lot Assembly Restrictions. *For Residential & Commercial Projects in the Entire Avenue 57 TOD Specific Plan Area:*

- A maximum of 2 lots with a combined area equal to or less than 10,000 s.f. for residential developments; and
- A maximum of 3 lots with a combined area equal to or less than 15,000 s.f. for commercial developments.

Section 7.B.2 – Exceptions. *Within Subarea 1 – Major Activity Center and that Portion of Subarea 2 - Mixed Use Area Bounded by Marmion Way to the North, Figueroa Street to the South, Avenue 59 to the East and Avenue 58 to the West in the Avenue 57 TOD Specific Plan Area:*

- A maximum of 4 lots with a combined area equal to or less than 20,000 s.f. for residential developments; and
- A maximum of 6 lots with a combined area equal to or less than 50,000 s.f. for Commercial or Mixed Use Developments.

Site 1 (excluding that portion of the site Zoned PF-1-HPOZ) and Site 2 of the Proposed Project are located within Subarea 1 - Major Activity Center. Site 3 is located within Subarea 3 – Mixed Use Areas. The subject Specific Plan Exception request included in the Master Land Use Application was based on the general “residential development” assembly restriction. However, just prior to filing it was determined that while the

proposed Project may have previously been defined as a “Residential” development, the general exception for “Mixed Use” development was more appropriate.

The Avenue 57 TOD Specific Plan definition for Mixed Use Project (Section 4.F) is as follows:

Mixed Use Project. *A project containing both commercial and residential uses, including one or more commercial uses and more than one dwelling unit in a single building or in a Unified Development. A Mixed Use Project shall provide the following:*

- (1) *A separate, ground floor entrance to the residential component, or a lobby that serves both the residential and commercial use components; and*
- (2) *A pedestrian entrance to the commercial use component that is directly accessible from a public street and that is open during the normal business hours posted by the business.*

The proposed Project includes a residential component on each site with 20 dwelling units on Site 1, 50 dwelling units on Site 2 and 10 dwelling units on Site 3. Each site additionally contains a public parking component which is replacement parking for the existing City owned and operated lots where the proposed use will be located.

The Avenue 57 TOD Specific Plan does not define Commercial Uses, nor does it exclude specific uses such as public parking, but defers those definitions back to the Municipal Code. Public parking is a commercial use as defined by the Municipal Code. As each site includes multiple residential structures, and one or two levels of resident and public parking, the Project meets the Mixed Use Project definition of containing both commercial and residential uses. Additionally, each site contains separate pedestrian entrances to the public parking (commercial) component that are directly accessible from the public street and will be open during normal business hours. There are also separate, ground floor pedestrian entrances to the residential component. Vehicle parking for residents is separated from the public parking by either access barriers or use of monthly parking passes. The public parking hours of operation are expected to be seven days a week and 24-hours a day.

At the Public Hearing (conducted 4/24/13), the Applicant’s Representative presented testimony indicating that the proposed Project is a Mixed Use development and that the requested Specific Plan Exceptions were not necessary as none of the three sites includes more than 6 lots or a combined lot area greater than 50,000 square feet as indicated in the chart below.

Site 1		Site 2		Site 3	
Parcel	Square Footage	Parcel	Square Footage	Parcel	Square Footage
1	10,202	1	9,376	1	2,701
2	4,601	2	3,002	2	3,378
3	10,211	3	3,203	3	3,692
4	9,906	4	6,250	4	3,737
		5	7,392		
		6	9,372		
Total	34,920	Total	38,595	Total	13,508

Staff is recommending Denial Without Prejudice of the requested Specific Plan Exception as the proposed Project meets the Specific Plan definition of Mixed Use and is therefore, in compliance, with the Specific Plan Lot Assembly regulations.

9. Certificate of Compatibility Findings

a. 12.20.3.L.3.(b) – Recommendations from the Highland Park-Garvanza HPOZ Board:

Section 12.20.3.L. of the LAMC requires that Department of City Planning staff refer applications for Certificates of Compatibility to the HPOZ Board within a 30-day period of the application having been deemed complete. The purpose of this requirement is to allow the subject application to be discussed in a public meeting with both public and expert testimony.

Section 12.20.3.M of the LAMC requires that before making its recommendation to approve, conditionally approve or disapprove an application pursuant to this section for a Certificate of Compatibility, the Board shall hold a public hearing on the matter. The applicant shall notify the owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property at least ten days prior to the date of the hearing, and notice of the public hearing shall be posted by the applicant in a conspicuous place on the subject property at least ten days prior to the date of the public hearing.

The Department of City Planning staff sent copies of the application with relevant materials to the HPOZ Board on February 27, 2013. Having posted notice for the meeting at the site, and at City Hall, and having mailed notice to abutting property owners on February 27, 2013, the HPOZ Board met on March 12, 2013, at which time the HPOZ Board, with a four-member quorum, continued the project to a later date. The hearing was continued on April 9, 2013, at which time the HPOZ Board, with a four-member quorum, unanimously recommended approval of the project with the following conditions:

- i. New street trees along Avenue 56 shall match existing street trees along Avenue 56.
- ii. River rock veneer shall be used at planter bases.
- iii. All Craftsman style buildings shall have the following:
 1. Battered porch columns shall be made of wood or painted cement board to achieve a one-hour fire rating requirements for the building pursuant to the 2011 City of Los Angeles Building Code, Table 503 of Chapter 5 (General Building Heights and Areas) and Table 601 of Chapter 6 (Types of Construction).
 2. Windows shall have decorative horns added to the upper sash and shall match the wood sample provided in Exhibit A.
 3. Wood entry doors shall use two types of design which shall be alternated at unit entrances: one type shall have six lite glass panels over a single wood panel and the other type shall be a single lite glass panel over a single wood panel.

4. Roofs shall be either a grey or brown roof color, and the roof color shall be varied from building to building to achieve a variety of appearance.
5. Triangular knee brace supports shall be used at the gabled roofs.
6. A "1x" cement board shall be used under the roof eaves.
7. Side elevations shall incorporate a barge board for decorative detailing.
8. Side elevations shall incorporate a false window or decorative vent detail.
9. Staff and applicant shall review any existing access and easements to the rear of existing commercial buildings along Figueroa Street, and if easements require any change to the plan, applicant shall review with the HPOZ Board.

The expert opinion of the required HPOZ Board has recommended approval of the subject application. Approval of the subject application is therefore consistent with 12.20.3.L. of the LAMC.

b. 12.20.3 L 4 (b). Standards for Issuance of Certificate of Compatibility for New Building Construction or Replacement, and the Relocation of Buildings or Structures Not Dating from the Preservation Zone's Period of Significance on to a Lot Designated as a Non-Contributing Element, as it relates with the adopted Preservation Plan.

The proposed project, as conditioned in this Determination, substantially complies with LAMC Section 12.20.3.L.4 because the proposed project complies with and is consistent with the adopted Preservation Plan. The guidelines referenced below are for Residential Infill.

Setting, Location and Site Design

9.3.1 - New residential structures should be placed on their lots to harmonize with the existing historic setbacks of the block on which they are located. The depth of the front and side yards should be preserved, consistent with other structures on the same block face.

Site 1 consists of four new Craftsman style buildings, A-1, B-1/C-1, D-1 and E-1, where Buildings B-1 and C-1 are connected. Building A-1 fronts Avenue 56 and Building E-1 fronts Avenue 57. Building A-1 is set back 24'-0" from the existing sidewalk to the face of the building to align with the existing residential buildings to the north of the site. It has a side yard setback of 15'-0" on the south side and an 8'-0" side yard setback on the north side. Building E-1 is also set back 24'-0" from the existing sidewalk to the face of the buildings to align with the existing residential buildings to the north of the site. It has a side yard setback of 22'-0" on the south side and a 20'-7" side yard setback on the north side. Buildings B-1, C-1 and D-1 are located in the interior of the site and do not have public street frontages. However, Buildings B-1 and C-1 are adjacent to residences to the north of the property line. Buildings B-1 and C-1 will be set back 11'-0" (side yard setback) from the property line. The depth of the front and side yards will be preserved, consistent with other structures on the same block.

Site 2 consists of three new Craftsman style buildings, A-2, B-2 and C-2, and one new four-story, courtyard apartment building. Building A-2 fronts Avenue 57, Building C-2 fronts Avenue 58, Building B-2 (appears to be three buildings) fronts Marmion Way, and Building D-2 does not have a public street frontage as it is located off of the alley to the south of the property. Building A-2 is set back 8'-3" from the existing sidewalk to the face of the building. There are no other residences on this block that face Avenue 57. Building C-2 fronts Avenue 58 and is set back 8'-6" from the existing sidewalk to the face of the building. Similarly, there are no other residences on this block that face Avenue 58. Building B-2 fronts Marmion Way and is 8'-6" from the sidewalk to the face of the building. The entire block of Site 2, along Marmion Way, does not have any existing historic residences, and the residences located north of Marmion Way are separated from the project site by approximately 140' of public right-of-way due to the site's adjacency to the MTA Gold Line Highland Park station. Building D-2 will be located in the interior of the project site and would not have any street frontage. Since the entire block will be developed with new buildings, historic setbacks will not be impacted.

Site 3 consists of two new Craftsman style buildings, A-3 and B-3. Building A-3 fronts Avenue 59 and is set back 8'-6" from the existing sidewalk to the face of the building. There are no existing residences along the west side of Avenue 59 on the same block as Site 3. However, there are existing residences, north of Marmion Way, along the west side of Avenue 59. These residences have a similar setback of approximately 8'-0" to 10'-0" from the sidewalk to the face of the building. Building B-3 of Site 3 fronts Marmion Way and is set back 8'-6" from the existing sidewalk to the face of the building. The existing 1987 two-story split-level stucco apartment building to the west of Building B-3 is set back approximately 15' from the sidewalk to the face of the building. The entire block of Site 3, along Marmion Way, does not have any existing historic homes and setbacks, thus the reduced front yard setback has minimal impact on the surrounding historic homes.

9.3.2 - A progression of public to private spaces from the street to the residence should be maintained. One method of achieving this goal is to maintain the use of a porch to create a transitional space from public to private.

The progression of public to private spaces from the street to the proposed residences is achieved through the use of front porches, entry walkways and planters. The residential structures on Sites 1, 2, and 3 include front porches at all individual residential unit entries that front along Avenue 56, Avenue 57, Avenue 58, Avenue 59 and Marmion Way. Residences with unit entries along these streets will have front yard planters with a walkway leading up to the front porch and entryway.

9.3.3 - Historic topography and continuity of grade between properties should be maintained.

Currently, the three undeveloped sites are relatively flat surface parking lots with minimal grade change. The project proposes to provide entry walks at the same grade level of the existing sidewalks, leading up to individual residential unit front porches. The historic topography and continuity of grade between properties will be maintained.

9.3.5 - Parking areas should be located to the rear of a structure. Designation of parking spaces within a front yard area is generally inappropriate.

All three sites will have public and private resident parking. Site 1 will have two subterranean levels with 161 parking spaces. Site 2 will have one level of subterranean parking with 98 parking spaces, 25 ground floor garage parking spaces and 9 surface parking spaces. Site 3 will have one level of subterranean parking with 29 parking spaces and 5 public parking spaces provided in the surface parking lot off the alley, not visible from the street. There will be no parking areas within the front or rear yards.

9.3.6 - Front and side yard areas should be largely dedicated to planting areas. Large expanses of concrete and parking areas are inappropriate.

The front and side yard areas have dedicated landscape planters and the only large expanses of hardscape will be within the interior courtyards of the sites. Parking will be subterranean or off of the rear alley and will not impact the front and side yards.

9.3.7 - The lot coverage proposed for an in-fill project should be substantially consistent with the lot coverage of nearby Contributor properties.

The proposed project, zoned PF (Public Facilities), uses the zoning regulations of the most restrictive adjoining zone for purposes of calculating the Floor Area Ratio (FAR) and maximum floor area allowed for each site in order to conform to the lot coverage of adjacent uses. The most restrictive adjoining zone for Site 1 is RD2-1-HPOZ. The most restrictive adjoining zone for Site 2 is [Q]C4-2D-HPOZ. The most restrictive adjoining zone for Site 3 is [Q]CR-1VL-HPOZ.

9.3.11 - Landscaping should not be so lush or massive that public views of the house are significantly obstructed.

The landscaping proposed, as shown on the landscape plan for each site, will not be so lush or massive that public views of the buildings are significantly obstructed. The planter walls and green screens will be appropriately integrated into the site design.

9.3.12 - Outdoor period details, such as address tiles and mailboxes are encouraged.

The proposed project provides outdoor period details throughout the whole development. For example, the front door entry sconces are of a Craftsman/Mission style. Also, river rock, which replicates the historic Arroyo Stone, will be used as a masonry veneer throughout the development on planters and pilasters.

Massing and Orientation

9.4.1 - New residential structures should harmonize in scale and massing with the existing historic structures in surrounding blocks. For instance, a 2.5 story structure should not be built in a block largely occupied by single-story bungalows.

The buildings on Site 1 include three two-story buildings with a height of 32'-0" and two three-story buildings with a height of 45'-0". Site 2 consists of three three-story buildings with a height of 41'-4" to 44'-4" and one four-story building with a height of 47'-6". Site 3 consists of two three-story buildings with a height of 39'-6". The four-story building is located in the interior of Site 2 and screened by taller commercial

buildings along Figueroa Street. Most of the massing will be hidden behind the three-story Craftsman residences and can only be viewed along the alleyway, south of Site 2. All of the two-story and three-story buildings are Craftsman style residences in keeping with the Craftsman architectural style. The project uses dormers, windows and roof articulation to break up the massing and to minimize the scale of the buildings to be compatible with the surrounding historic structures.

Also, the proposed site designs utilize a system of interconnected walkways, courtyards, and open space to link the proposed buildings. Having breaks between buildings and breaking down large blocks will visually reduce the massing and scale of the project to be harmonious with the existing neighborhood development.

9.4.2 - When found to be appropriate, new structures that will be larger than their neighbors should be designed in modules, with the greater part of the mass located away from the main facade to minimize the perceived bulk of the structure.

As discussed in 9.4.1, the four-story building on Site 2 is to be located internal to the site and adjacent to the southeast property line along the alley. This taller structure is buffered from direct views along Marmion Way, and Avenues 57 and 58 by the three three-story buildings. The resulting design is stepped-back so the taller structure is screened from the adjacent streets to minimize the massing as perceived from the street.

9.4.3 - New residential structures should present their front door and major architectural facades to the primary street and not to the side or rear yard.

As stated above, the residential structures on Sites 1, 2, and 3 include front porches and front doors at all individual residential unit entries that front along Avenues 56, 57, 58, 59 and Marmion Way. Exhibit A shows that the residential structures will present their front door and major architectural facades to the primary street and not to the side or rear yard.

Roof Forms

9.5.1 - New residential structures should echo the roof forms of the surrounding historic structures. For instance, if the majority of structures along a particular street utilize front-facing gable-ends, the in-fill structure should likewise utilize a gable-end. Where a diversity of roof forms exist on a street, a predominant form should be used. It would be inappropriate to introduce a new roof form that is not present on the street.

The surrounding neighborhood consists of a majority of Craftsman style homes with gabled roofs and commercial buildings with flat roofs along Figueroa Street. Craftsman architecture is usually characterized by broad gabled roofs with deeply overhanging eaves. Other examples of Craftsman architecture show the broadside of the roof to the street instead of the gable peak, and the space beneath the roof is adapted for use by installation of a dormer window. The proposed Craftsman style buildings use the latter roof form, which can be found in adjacent areas. The four-story courtyard apartment building draws from the design context of other commercial buildings in the surrounding neighborhood and the flat roof proposed on this building is consistent with the existing flat roofed commercial buildings.

9.5.2 Roofing materials should appear similar to those used traditionally in surrounding historic residential structures. If modern materials are to be used, such materials should be simple and innocuous.

The Craftsman buildings will use composition shingles with a grey or brown roof color, which will appear similar to the wood shake roofs used historically on Craftsman residences. The four-story courtyard apartment will have a flat roof and only the parapet will be visible from the street.

9.5.4 In HPOZs where roof edge details, such as corbels, rafter tails, or decorative bargeboards are common, new construction should incorporate roof edge details which echo these traditional details in a simplified form.

The proposed Craftsman style buildings incorporate simplified rafter tails and fascia to maintain compatibility with other similar historic structures found in the surrounding neighborhood. As conditioned, a barge board will be used at the side gabled roof elevations.

The proposed four-story courtyard apartment building located on Site 2 incorporates a simplified cornice and vertical and horizontal details to maintain compatibility with other similar historic structures found in the surrounding neighborhood.

Openings

9.6.1 New construction should have a similar façade solid-to-void ratio to those found in surrounding historic structures.

The proposed Craftsman style buildings utilize a more intricate roof pattern to maintain solid-to-void ratio and window groupings similar to other Craftsman style structures.

The proposed four-story courtyard apartment building located on Site 2 uses the design context of Renaissance Revival commercial architecture. The vertical bays on the building are used to maintain a similar façade solid-to-void ratio and symmetry as other similar historic structures found in the Highland Park HPOZ neighborhood, specifically the historic Renaissance Revival building at the corner of Figueroa Street and Avenue 56, as seen in the photographs provided in Exhibit A. Each vertical bay of the proposed building uses a solid-to-void ratio and white trim similar to the historic building.

9.6.2 New construction should use similar window groupings and alignments to those on surrounding historic structures.

The window locations have a symmetry that is consistent with other historic buildings in the neighborhood. Also, to maintain compatibility and symmetry associated with the building styles, single windows are grouped together for a larger window bay instead of using one larger inappropriate window.

9.6.3 Windows should be similar in shape and scale to those found in surrounding historic structures.

All of the windows for the proposed buildings are compatible in size and style to other similar window types found on Craftsman and Renaissance Revival style structures in the surrounding neighborhood.

9.6.4 Windows should appear similar in materials and construction to those found in surrounding historic structures.

Windows on existing Craftsman style historic structures found in the surrounding Highland Park neighborhood are typically double-hung or single-hung wood windows that may have divided lites. The windows of the proposed Craftsman style buildings on Sites 1, 2, and 3 will be Douglas fir double hung wood windows with divided lites or Douglas fir awning wood windows with divided lites.

The windows of the proposed four-story apartment building that resembles an historic commercial building, located on Site 2, will be white fiberglass casement windows, which resemble casement windows that were historically found on commercial buildings.

9.6.5 Dormers should be similar in scale to those found on existing historic structures in the area.

Dormers on the proposed Craftsman style buildings on Sites 1, 2, and 3 are compatible in scale to dormers found on similar Craftsman style homes in the surrounding neighborhood. The smaller shed and gable dormers are approximately 21 feet wide x 11 feet tall, and the larger shed dormers are approximately 40 feet wide x 14 feet tall.

9.6.6 Main entryways should be configured and emphasized similarly to those on surrounding structures. Attention should be paid to design similarities such as symmetry, depth, and the use of architectural features such as pediments, crowns, porches, etc.

The main entries of the proposed Craftsman style structures on Sites 1, 2, and 3 are configured to face towards the streets. Architectural elements such as appropriate eave depth, covered porch areas, decorative rafter tails, and decorative trim are emphasized to maintain compatibility with other surrounding historic structures of similar style.

9.6.7 Entrance enclosures, such as porches, porte-cocheres and overhangs should be used when similar features are widely used within the neighborhood.

Craftsman homes in the neighborhood typically have a pronounced front porch with battered or elephantine columns. The proposed Craftsman style buildings on Sites 1, 2, and 3 will have covered porch entrances with battered columns.

Materials and Details

9.7.1 New construction should incorporate materials similar to those used traditionally in historic structures in the area. If most houses within a neighborhood are wood clapboard, an in-fill house that is entirely stucco is generally inappropriate.

The proposed Craftsman style buildings use fiber cement shingle and lap siding, asphalt shingles, and wood and fiber cement accents. Although fiber cement is proposed in lieu of traditional wood material, it closely resembles the overall look of the materials originally used. Another common material used historically in the surrounding neighborhood is Arroyo Stone. The proposed project uses river rock as a veneer to accent planter bases and pilasters.

The main materials used in the proposed Renaissance Revival style building are a smooth stucco finish and brick veneer. Brick and stucco were common materials found on commercial buildings, and although this building is residential, it resembles a historic commercial building.

9.7.2 Materials used in new construction should be in units similar in scale to those used historically. For instance, bricks or masonry units should be of the same size as those used historically.

The shingle siding found on the proposed Craftsman style buildings is a module of approximately 5 ¼ inches in height with 6 inches exposed and the lap siding is a module of approximately 7 ¼ inches in height with 6 inches exposed. The sizing and exposure are consistent with those used historically. The brick veneer found on the proposed Renaissance Revival style building is a module of approximately 3 5/8 inches wide x 7 5/8 inches in height. Historic brick is often not of uniform size, but the sizing proposed is generally consistent with historic brick dimensions.

9.7.3 Architectural details such as newel posts, porch columns, rafter tails, etc., should echo, but not exactly imitate, architectural details on surrounding historic structures. Special attention should be paid to scale and arrangement, and, to a lesser extent, detail.

9.7.4 Use of simplified versions of traditional architectural details is encouraged.

The architectural details on the proposed buildings are similar to other architectural details on historic properties, but do not exactly replicate any of the existing historic architectural details. All of those architectural details (such as rafter tails, covered porch details, decorative trim, cornice, and fascia) on the proposed buildings have been simplified to maintain compatibility to other similar historic structures and to distinguish them as new construction.

9.7.5 If the integration of modern building materials, not present during the Period of Significance, is found to be appropriate, such materials should be subtly use and appear visually innocuous in comparison to surrounding historic structures.

The proposed Craftsman style buildings use fiber cement shingle and lap siding, asphalt shingles, and some fiber cement accents. Although fiber cement is proposed in lieu of traditional wood material, it closely resembles the overall look of the materials originally used.

- 10. Environmental.** On April 10, 2013, a Mitigated Negative Declaration, ENV-2013-221-MND, was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.
- 11. Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is outside of a Flood Zone.

PUBLIC HEARING AND COMMUNICATIONS FOR CCMP

A public hearing on this matter was held at the Arroyo Seco Library, 6145 North Figueroa Street, Los Angeles, CA 90042 on Tuesday, March 12, 2013 and continued on Thursday, April 9, 2013 from 6:00-8:00 p.m.

1. Attendance:

17 people signed in at the March 12, 2013 public hearing, and 8 people signed in at the April 9, 2013 public hearing.

2. Initial Indication and Testimony:

A total of 15 individuals provided formal public testimony on the Certificate of Compatibility for the Highland Park Transit Village: 12 attendees provided formal testimony on March 12, 2013 and 3 attendees provided formal testimony on April 9, 2013. A total of seven speakers, representing Clinica mi Pueblo, Highland Park residents, and northeast business owners, provided concerns about the project on Tuesday, March 12, 2013 and on Tuesday, April 9, 2013. A total of eight speakers provided general comments on Tuesday, March 12, 2013 and on Tuesday, April 9, 2013.

Comments were received on a range of topics, including issues of architectural design and articulation of buildings, parking, access and egress, safety, the effects of the project on existing small businesses, affordable housing, density, infrastructure, open space, visibility of natural features and viewsheds, and CEQA impacts. Concerns were the following:

- Size/Scale/Design Issues of the Project
- Environmental/CEQA Concerns
- Density
- Infrastructure
- Potential Loss of Existing Business during Construction
- Access to Existing Businesses
- Parking Impacts
- Parking Garage Safety
- Loss of Open Space and Views

Communications Received

The Department of City Planning, HPOZ unit, received three letters in the form of written testimonies and e-mails. One letter was received from representatives of the Historic Highland Park Neighborhood Council expressing concerns about the project. Another letter was received from a community resident who expressed concerns about the CEQA impacts. The third letter was received from representatives of the organization *The Wall Las Memorias* stating general support of the project but requested clarification regarding the parking requirements.

PUBLIC HEARING AND COMMUNICATIONS

Hearing

A joint public hearing conducted by the Subdivision Committee and Hearing Officer on this matter was held on the 10th Floor of City Hall on Wednesday, April 24, 2013.

1. Attendance:

Present at the hearing were: the Subdivision Committee (Jim Tokunaga - Advisory Agency, Ray Saidi - Bureau of Engineering, and Wing Tam - Bureau of Engineering); the project representative (Andie Adame); the applicant (Daniel Falcon), the applicant's environmental consultant (Shane Parker); the applicant's land use attorney (Michael Woodward), and residents, property owners, and business owners near the project area, as well as residents from Pueblo del Sol (a residential project that the applicant developed/manages)

2. Initial Indication and Testimony:

The applicant, Daniel Falcon of McCormack Baron Salazar, made the following comments:

- McCormack Baron Salazar is a developer of mixed income communities and has developed 16,577 homes with 1,294 homes in California
- The company manages the properties
- Has development experience in mixed-income projects in Los Angeles, such as the 121-unit Metro Hollywood & Carlton Court Apartments located in Hollywood and the 470-unit Pueblo del Sol apartment project
- Typical amenities in the units include in-unit washer/dryer, free wireless internet, refrigerator, stove, microwave, and dishwasher
- Project will be built to LEED
- In 2006, the Los Angeles Housing Department established a Housing Development Central Unit to review City owned underutilized properties for development of affordable and mixed-income development
- City Council directed staff to request proposals from interested developers
- In 2006, a RFP was issued
- In 2007, LAHD issued McCormack Baron Salazar as the Developer
- In 2007-2008, McCormack Baron Salazar did community outreach of the original design concept
- In 2008-2009, McCormack Baron Salazar did community outreach on the 1st design revision
- In 2012-2013, McCormack Baron Salazar did community outreach on the 2nd design revision

Andie Adame, the project representative, introduced the project and made the following comments:

- Site 1 includes 20 units and four separate structures over parking, Site 2 includes 50 rental units and 4 separate structures, and Site 3 includes 10 rental units in two separate structures
- The project site has a maximum height limit of 45 feet
- Site 2 slopes upward from the west to east side of property and there is a six-foot grade difference

- LADBS measures height five feet away from the lowest point of the site
- Massing was broken up with change of colors and materials and the project is well articulated
- The project will activate the street and provide more eyes on the street for security
- Joint public private development may be more intense than most restrictive adjoining zone if approved by CPC and Site 1 will have a difference of 3 units and Site 2 will have a difference of 23 units
- Joint public private development may be more intense than most adjoining zone if approved by CPC
- Yard setbacks differ from the most restrictive adjoining zone yard setbacks due to elevators and stairs from public parking to the sidewalk and for the porches that provide a benefit
- Project will provide Code required parking
- The project will provide 35 bicycle spaces on Site 1, 55 bicycle spaces on Site 2, and bicycle spaces on Site 3
- Community outreach includes meeting with the Historic Highland Park Neighborhood Council on January 17th and March 21 2013, the Highland Park Historic Overlay Board – 1st consultation on January 10, 2012, 2nd consultation on January 22, 2013, 1st hearing on March 12, 2013, and the 2nd hearing on April 9, 2013, the North Figueroa Association on March 14th and the 19th, the Academia Avance, the Highland Park Heritage Trust, The Wall Las Memorias community meeting, and with local churches
- The project provides community benefits that include: for sale market rate housing and affordable rental, density near transit, energy efficient design to achieve LEED Silver, joint use of underutilized land, 100% replacement of existing public parking, community access to community building space for meetings, and a local farmer's market is adjacent to site and will coordinate with them
- The current design and much different than the initial design and Site 1 was reduced from 30 units to 20 units, Site 2 was reduced from 60 units to 50 units, and Site 3 increase the units from 7 units to 10 units to balance the site
- Project design changes were based on HPOZ board's recommendation

The Advisory Agency opened the public hearing to members of the audience.

There were two business owners that spoke in opposition of the project. The business owners made the following comments:

- Parking is a problem and there is not enough,
- Need more in the area for new people,
- Problem of low income housing - people renting out there rooms and safety is a concern
- Site 3 should be a park
- This project can be done on another site
- Project is not in line where situated

There was one business owner that spoke in support of the project. The business owner made the following comments:

- The applicant did outreach to the community
- The original design was too dense and didn't match the historic character but the applicant listened to the concerns and made changes for historical integrity
- The applicant will give metro passes to tenants to utilize transit

- The surface parking lots are currently underutilized
- The applicant is not responsible for problems of parking that occur down the street

There were seven residents/neighbors that spoke in opposition of the project. The residents made the following comments:

- There is an issue of parking
- 90% of the rentals on Site 2 are 2-3 bedroom units and will need more parking
- People park in front of driveways
- Safety concerns of fire trucks driving through the alley and people parking in the alley
- DWP equipment is 60-70 years old and is overburden with electric supply, new transformer will need to be done
- Rentals are 33 year agreements only and people can sell the units
- Project is 25 feet downhill of the Arroyo Seco
- Need full EIR
- HPOZ only addresses aesthetics and not on massing and height
- City has previously passed Ordinance without community outreach
- Project outreach first was in 2008 but it went underground due to the bubble and re-surfaced in 2013 until now
- Figueroa is crowded,
- Would like property to be developed with a community space or garden
- How would the applicant govern groups to use the community rooms
- Would like applicant to have community input
- Concerns with massing
- Impact on environment
- Parking lots were not used once the meters were installed
- Concerned with environmental aspects: views, massing, façade, waterways, vistas, Figueroa State Highway
- Project is out of character with neighborhood
- Violating 1962 court order that parking is to be used for the businesses
- Site 1 is outside the reach of a fire ladder
- Meter parking is not affordable
- Gold Line users do not use the parking lots
- The density is an issue
- Homes on the parking lots were taken by eminent domain and now the City is giving back the lot to developers

There were eight residents/neighbors that spoke in support of the project. The residents made the following comments:

- Nice opportunity for those searching for low income housing
- Project will give more business to the neighborhood
- Highland Park was an up and coming neighborhood
- Project is better than original vision
- Project will bring vibrancy back
- Surface parking lots are not full and they are only ¼ or ½ full
- Applicant has answered all their concerns
- Nice designed project
- Applicant has expertise to manage
- Would want Figueroa to be vibrant

- Would like to find an affordable place to live
- Project is near Metro Station
- No adequate housing in area
- Project will revitalize area

There were four residents of Pueblo del Sol that spoke in support of the project. Pueblo del Sol is a 470-unit affordable apartment project that the applicant is managing. The Residents of Pueblo del Sol made the following comments:

- McCormack Baron Salazar does a great job in managing properties
- During the applicant process, tenants apply and they check criminal record, credit history, does annual inspection and has on-site manager
- Management's main concern is safety
- Crime has dropped since the project was developed
- Benefitted from the community center and the programs offered
- The unit adequately addresses space for seniors
- Close to proximity where residents can walk
- Happy with the rent

Rebecca Torres, a representative from Council District 1, stated that Councilmember Reyes started this process and looked at underutilized City owned lots for public benefit. Councilmember Reyes put out a proposal that initially included a commercial component. The project will give opportunity for affordable units and opportunity for home ownership. Councilmember Reyes asked the applicant to do public outreach. There was a pause for outreach, but now has a project that looks nice. Many speakers had concerns with parking. The number of public parking spaces will be replaced. The Council Office would like more people to use the public parking spaces and would like the project to move forward. The office is open to work with residents and business owners to resolve parking on their street that is not related to the project.

Jim Tokunaga, the Deputy Advisory Agency, stated that the City cannot require more parking than the Code requires; the City allows project that are near rail to have more density, and asked the project representative to respond to questions and statements. Andie Adame, the project representative, responded to statements made:

- Parking - Parking is per Code
- 106 parking spaces for the residents and 221 public parking spaces that will be replaced
- The City can't require more parking spaces
- Height - Only Site 2 is above the required 45-foot height limit and that portion is located away from the residential uses
- Density - Site 2 is compatible with area since it is close to station, buffered by surrounding properties, and has broken up the massing

Shane Parker of Parker Environmental Consultants, stated:

- MND prepared for the project is sufficient and complies adequately to CEQA
- Scenic views are not from private property and not rise to significant level for an EIR

Michael Woodward, land use attorney for the applicant, made the following statements:

- Applicant filed for a Specific Plan Exception to err on caution
- Project is a mixed-use development and the requested Specific Plan Exceptions are not necessary as none of the three sites includes more than six lots or a combined lot area greater than 50,000 square feet

At the conclusion of the hearing, the Advisory Agency announced that he was inclined to approve the maps. Many of the issues raised are regarding the CPC case and will be heard at the subsequent meeting before the City Planning Commission (CPC), where a decision may be rendered, and that those wanting a copy of the recommendation report should sign the mailing list.

Communications Received

Prior to the hearing six phone calls were received. Four of the callers had general inquiries, one caller had questions on the joint public/private development of the project, and one caller was in favor for the project, but was in opposition of the affordable units and that there are too many in the area.

Five letters in opposition were received. The letters expressed: the project will impact the businesses along Figueroa Street; the applicant is over building and not replacing enough public parking; need more parking; underground parking not safe; Site 2 has been parking for over 60 years and was given by the building owners on that block facing Figueroa Street and an agreement at the time was the City of maintain the lot and the business owners would receive limited access to the parking lot, City is planning to sell parking lot for \$1.00 and is planning to provide tax credits and incentives to the developers; City is eliminating ground parking lot and access to the parking without regards to the businesses, safety and convenience to patrons, residents, shoppers, and people who ride the train; low cost housing will devalue the buildings and businesses; density is too intense; project will impede future development of adjacent sites; construction would impede businesses; the project is in violation of the Superior Court of the State of California findings; in Case #5392 the City of Los Angeles vs. Kileen Gertrude Bates, April 13, 1962 the judgment was as follows: parking lot were owned by businesses along Figueroa corridor, entitlement parking for the parcels for which there were ceded from by right, lots are contained in Highland Parking Overlay Zone, not consistent with the Historic Preservation Ordinance, and one parcel is the Masonic Temple and is listed on the National Historic Register; project does not comply with the Specific Plan, Ordinance No. 174,663, and HPOZ Ordinance; project will impact scenic vistas; needs an EIR; impacts to Arroyo Seco; water run-off and pollutants; the surface parking is acting as open space; and air quality impacts.

A letter was received from the Historic Highland Neighborhood Council. The letter is requesting the preparation of an EIR. There are potentially significant impacts that are not being mitigated that include: Aesthetics – the brick façade building for Site 2 is out of characters of the neighborhood, Air Pollution – increase is exhaust emission during construction, cultural/historic resources – Site 2 is not in scale and may be non-compliance with the Highland Park-Garvanza Historic Plan, Erosion – run-off will contribute to pollution in the Arroyo Seco, Greenhouse Gas Emissions – automobile traffic and greenhouse gasses from the increase in general human consumption, Public Services – public service departments of the City are not adequately prepared for the increase in public demand, Recreation – qwimby fees do not adequately provide a clear plan on how to address the impact of the project, Utilities – wetting construction areas twice daily would deplete local water resources and the Sanitation and Department of Water and Power are not adequately prepared for the increase demand of the project.

The applicant submitted a comment letter regarding the draft MND for the project. The letter stated comments and corrections to the MND and the request to delete non-applicable haul route mitigation measures. A copy of the Planning Guidelines Landform grading manual and the City of Los Angeles Environmental Quality Act Guidelines' Section 2.d of Article III was also submitted.

Prior to the completion of the recommendation report, one letter of opposition was received from a property manager for two centers located on Figueroa Avenue. The letter expressed concerns that the project will eliminate public parking and will negatively impact the existing businesses and surrounding community.